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THE NATION

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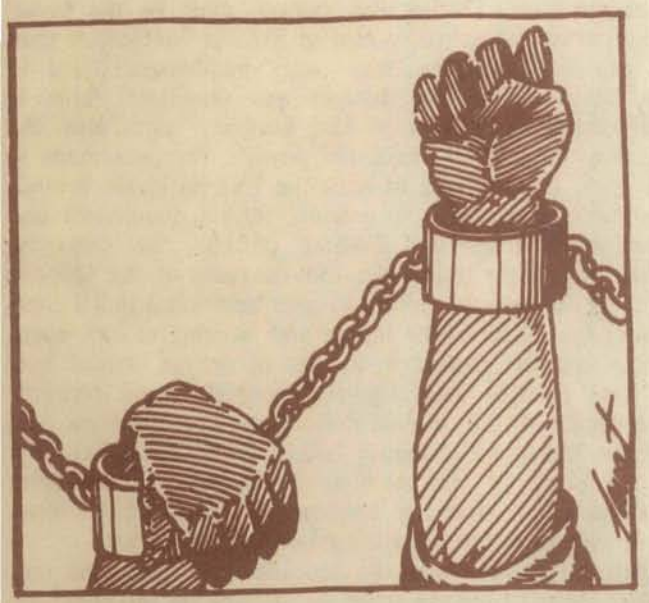

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Michael T. Klare

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Alan Wolfe

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LETTERS

romance

Philadelphia, Pa.

DEAR SIRS: I want to congratulate you for making it possible and myself for doing it—this, my twenty-fifth year of reading *The Nation*! It has been a true romance—through thick and thin, lean and fat years (more lean and thin).

Congratulations on the Nixon-Watergate editorials—an affirmation of why I have subscribed to and read *The Nation* these many years.

Alan R. Howe

deja vu

Pleasantville, N.Y.

DEAR SIRS: Our congratulations to Raymond A. Werchen and Fred J. Cook for their account of the important new discoveries in the Hiss case. ["New Light on the Hiss Case," *The Nation,* May 28.] But what a feeling of *déjà vu* we had! For many of the fascinating details they report (re the car sale ledger) are strikingly similar to our own findings in the Rosenberg-Sobell case, where we concluded that a key piece of documentary evidence—a hotel registration card—was a forgery. As *The Nation* has pointed out, the FBI's sealed files on the late 1940s and 1950s must be opened to investigative reporters and historians.

Miriam Schneir and Walter Schneir

ethics of appraisal

Dayton, Ohio

DEAR SIRS: We must take strong exception to the lack of objectivity in "What's Wrong with the Property Tax" (*The Nation,* May 7) by Peter Gruenstein. . . . Let us illustrate a few of the major misstatements.

Mr. Gruenstein says that all sorts of allegations against Cole-Layer-Trumble Co. have been made in a number of cities, and then indicates a conflict of interest exists, asking if CLT might not be tempted to give special favors to clients of its affiliated company.

He is correct that many allegations are made; the subject of property taxes and revaluations is indeed highly controversial and . . . such controversy is in fact an argument for the use of impartial outside professional firms, as it removes local bias and emotionalism from the valuation process. In the matter of the supposed conflict of interest, Mr. Gruenstein might have also reflected that this exact issue had been dealt with in two recent cases in Nashville, Tenn. In the first case, all counts except those dealing with antitrust were dismissed. The court reserved opinion on the antitrust counts. In the second case, the court listened to some sixty hours of evidence and testimony, much of it relating to exactly the points raised in the article about CLT and its affiliate. . . .

After hearing all this evidence [the judge] found no conflict of interest, and declared that to do so would require him to operate on speculation and surmise.

Mr. Gruenstein goes on to say that "CLT's conflict-of-interest problems are more than potential or theoretical." In support of this blatant statement he offers the word-for-word allegations that were made in the court suit referred to above. These allegations were shown by the court to be without foundation, and in some particulars to be grossly misleading if not in deliberate error. . . .

Next, he reviews controversies in Pennsylvania and Delaware which have also been refuted in detail, but neglects to mention any of the facts in refutation, which also had been well covered by the press; in fact, he fails to mention that there has been any answer or response from CLT at all. . . .

Mr. Gruenstein continues, saying that CLT's work in Atlanta was voided by a court. CLT was not a party to

(Continued on page 20)

EDITORIALS

Cover-up of the Cover-up

Senator Mansfield has favored the President with a week's surcease from Watergate. Perhaps it is as well that he did, for it gives press and public a chance, on the anniversary of the break-in, to take stock.

The cover-up began on the morning after the break-in. That it was sponsored and directed at the highest levels is clear. From June 17 to the election, the cover-up had top priority at the White House and in the offices of CREEP. The President was no doubt the first to realize that, if the full facts surfaced, including the "national security" burglary at Los Angeles, Watergate would immediately cease to be a "caper" and might well become a major issue. During this period, most of the press, being more concerned to cut up Senator McGovern than to expose Watergate, was easily bamboozled. But in the Nixon camp one thought was dominant: how to keep the lid on "the third-rate burglary" until after the election. Hence the panic, the payoffs, the pass made at the CIA, the attempts to keep the FBI on leash, behind-the-scenes maneuvers to conceal certain documents and memoranda from the Ellsberg defense, the scurrying about for secret funds, the foot-dragging at the Department of Justice, the failure to seek additional indictments before the election, the hiding and burning of key documents and the rest of it. It was of course absurd ever to have thought that large-scale payoffs could continue to be made to the original defendants with the hope held out for Executive clemency before Nixon left office. But in the panic of the moment such considerations were brushed aside; after the election, so the daydream went, some way out of the morass might be discovered.

But no sooner was the election over than the emphasis shifted from cover-up to covering up the cover-up. For by then it had become fairly clear to all hands, including the President, that the cover-up was fated to come apart. Too many individuals were involved; the pressures were too intense; a few newspapers were pursuing good leads; the conspirators were divided by diverse interests, loyalties and points of view. A massive united front could not be maintained, primarily because the President, in Sam Goldwyn's phrase, kept including himself out. Since the conspirators could not hang together it became increasingly clear that they would probably hang separately. By January, as Jeb Stuart Magruder has told us, it was "scapegoat time." Even earlier, the major participants had begun to position themselves as safely as possible, to tape phone calls with other participants, and to cut off conversations to which they did not want to listen. Before McCord had delivered his letter to Judge Sirica, a faint hope still prevailed that the cover-up might survive, if one or more highly placed scapegoats were sacrificed. But Watergate would not go away and the disclosures proliferated.

So the cover-up of the cover-up took a new turn. At all costs, the disclosures must stop short of directly involving the President. In practical effect, this meant that Haldeman and Ehrlichman were to be the last line of defense. Even if the disclosures engulfed them, they

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ould be relied upon to protect the President. To this nd it became necessary—by leaks, hints, inspired col-umns and similar devices—to separate the Haldeman-Ehrlichman nexus from the Mitchell-Dean nexus. A fault ine had existed between these two combinations before he Watergate scandal broke, so it was not difficult to viden and emphasize the separation. Both Dean and Mitchell quickly sensed that they were, in effect, out in he cold. But in the meantime, the President had en-langered the cover-up of the cover-up by his April 30th —Checkers II—address and by his May 22nd statement n which he made some damaging admissions that brought the pursuing investigators several steps closer to he Oval Room. Now, of course, the rumor mill reports hat, if absolutely necessary, Haldeman-Ehrlichman will be given the Mitchell-Dean treatment in order to "pre-serve the Presidency," meaning to rescue Richard Nixon. The White House promptly announced that no one with uthority or access to the President had said that Mr. Nixon was preparing to say that Haldeman-Ehrlichman had misled him. But Haldeman-Ehrlichman would be chumps if they accepted this assurance at face value.

For now, President Nixon will remain silent and hope that the Haldeman-Ehrlichman line can be held, but if the pressures mount, as they will, then they will be charged with having failed to level with him out of an excess of love and devotion. Even this final retreat will not eliminate the headlines or turn off the TV cameras. For the central question remains: to what ex-tent was the President directly involved in the cover-up and its sequel? For the time being, resignation and im-peachment are on the back burner—so far as Congress is concerned—and are likely to remain there. But the public still insists, as it should, that the President speak out. A two-thirds majority, by a recent Gallup poll, feels that the President knew about the cover-up. Watergate will not, therefore, "go away" until he tells the public what he knows about it.

Senator McGovern, breaking a long silence, has called on the President to "tell everything he knows" to the Ervin committee, to the federal grand jury and to the people in the form of a full-blown press conference. As he puts it, "Nixon has got to stop acting like he's a monarch, beyond the reach of the press, beyond the reach of the Congress, and beyond the reach of the judicial system. He's a human being; he's the servant of the people and he's got to lay out his case in as clear and concise a way as possible, if he expects to re-store some measure of confidence." Self-serving state-ments in Orange County, Fla., will not suffice. Nor will similar statements made during a "down home" welcome in Pekin, Ill., where Nixon went to honor the late Senator Dirksen, with Dirksen's son-in-law, Senator Baker, a captive guest. A televised Checkers III will not do the trick, and the President cannot avoid a painful confrontation with the people by throwing them his dear friends Haldeman-Ehrlichman. What the people want, as Sen. Lowell Weicker sees it, is for the President "to stand up, look them in the eye, and tell them the truth"; and then, we would add, answer a few good questions with his hand on the Bible or the Constitution. Not until then can he expect the clamor to abate.

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Papers: Public and Private

The legal handling of Presidential papers has long been a vexing problem. Most Presidents have considered their official papers to be their personal property, but it is another matter to contend that such papers can be appraised at astronomical figures and then "given" to the country for the purpose of claiming a tax benefit.

The impropriety of the practice finally dawned on the Congress. Throughout 1969, attorneys and aides of former President Johnson and President Nixon lobbied Congress to write the amending law in such a way that their clients would get one more tax benefit before the new law went into effect. After nine months of debate, Congress adopted the new amendment in December 1969. It provided that manuscripts and letters were to be treated as "ordinary income" property (rather than "capital assets") when held by the individual—e.g., the author—who created them. It also limited the author's deductions for contributions of this "ordinary income" to his "cost," essentially his cost of paper and ink or typewriter ribbons, and fixed the cutoff date at July 25, 1969. According to his advisers—quoted by Nick Kotz in *The Washington Post*—Johnson decided not to attempt a gift of his papers, which would have been worth millions as a tax write-off, since it was apparent that Congress did not approve of the practice. But Nixon felt no such scruple and gained a tax benefit worth more than $200,000, according to Frank De Marco, Jr., the President's personal tax lawyer, as quoted by Kotz. Officials at Archives raised questions about the deed, which was not delivered until April 1970, was not signed by the President, and has never been formally accepted by Archives. Mr. De Marco contends, however, that certain papers were delivered to Archives on March 27, 1969, some to be stored, others to be given to the country. Those papers, constituting the claimed gift, were appraised at $570,000, worth an estimated $200,000 in tax benefits.

There would be little point in commenting on this "last write-off"—although President Nixon might well have followed the precedent set by his predecessor—were it not for the fact that Congress, in drafting the new law, by its own admission "accidentally" deprived authors, dramatists, musicians and artists of the right to take a deduction in donating manuscripts, papers, compositions and paintings to libraries and museums. Sen. Frank Church concedes that Congress, in striking at Presidential or public papers, "swung too broad an ax" when it drafted the amendment. Not only did the 1969 amendment confuse public with private papers but it permitted collectors, in making gifts, to claim deductions for the fair appraised value of papers, etc., which it denied the authors. Remedial legislation, introduced by Rep. Wilbur Mills (H. R. 3152; companion legislation in the Senate by Senator Church), would allow authors, artists, musicians, scholars and historians to deduct 50 per cent of the fair market value of the property donated. The Authors League of America recommends that the deduction should be 100 per cent of the appraised fair market value, as it was prior to December 1969, and that two safeguards be added. As drafted, the new legislation would require libraries and other donees to give written assurance that the property has "historical or artistic" significance. The League would add the words "literary, scholarly or musical" to this phrase. It would also add a provision to prevent a taxpayer from obtaining a greater benefit from donating the property than he could realize by selling it and paying the tax on his gain. With these suggestions added, Congress should adopt the measure, by way of correcting the "accident" it committed in December 1969, when it confused public with private papers. As to President Nixon's $200,000 benefit, let him keep it: he has troubles enough these days and, in any case, he will be the last beneficiary of the former practice.

West Point White House

A current book, *West Point: America's Power Fraternity* (Simon & Schuster), by K. Bruce Galloway and Robert Bowie Johnson, Jr., addresses itself to the growing militarization of our country. The book is recommended reading; a re-reading is also advised of "The Military in Public Affairs" by Bruce Russett and Alfred Stepan (*The Nation,* December 25, 1972).

That undue military influence might become a problem was foreseen by the founding fathers, but in the 19th century, despite a tendency to elect victorious generals to the Presidency, it was of little consequence. General Grant, a completely honorable man personally, was so incompetent as President that he rather diminished the threat. In 1873, the Attorney General held that Gen. William T. Sherman could not hold the position of Secretary of War, even temporarily, without vacating his commission in the Army. And Gen. George C. Meade, victor at Gettysburg and highly honored as a soldier and citizen, was not permitted to serve as a park commissioner of Philadelphia unless he severed all connection with the Army. In Meade's case, the Attorney General ruled that the office was of a civil nature, consequently a military man was disqualified.

The difference between these somewhat quaint ideas and the present merging of military and civil functions is abysmal. The outstanding case at the moment is that of Gen. Alexander Haig who, to help President Nixon out of his current troubles, was moved from Vice Chief of Staff of the Army to fill the shoes of H. R. Haldeman, who before his reluctant resignation was probably the most powerful person in the government next to the President himself. This amalgamation of civil and military authority was effected by Mr. Nixon in clear defiance of Title 10 of the U.S. Code, which reads: "Except as otherwise provided by law, no officer on the active duty list of the Regular Army . . . may hold a civil office by election or appointment whether under the United States, a territory or possession or a state. . . ."

Until Rep. John E. Moss (D., Calif.) called attention to the statute, it does not seem to have occurred to the President or General Haig that his transfer was not only unusual but illegal. Then it was announced that General Haig would leave the Army, as of August 1. It is true that military men have served various Presidents in various capacities, usually of a military or quasi-military nature, but General Haig brought with him two other

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Army officers, Lieut. Col. Frederick Brown and Maj. George Joulwan, and a retired Major General, John C. Bennett. In this instance, as in many others, the dividing line between the exercise of political and military power has been blurred beyond recognition.

This is a clear and cumulative danger. World War II vastly expanded the military establishment. During the cold war, the Korean War and the undeclared Indochinese war, officers began to cast eyes on the fertile field of the civilian bureaucracy. This is not to say that some of these men were not competent to fill the posts to which they were appointed, but even in the immediate post-World War II period the influx into top civilian jobs was striking. Galloway and Johnson, by way of example, cite Maj. Gen. Philip B. Fleming, Federal Works Administrator; Maj. Gen. Robert M. Littlejohn, Administrator of the War Assets Administration; Gen. Omar N. Bradley, head of the Veterans Administration; Joseph M. Swing, Commissioner of Immigration and Naturalization; and in the later 1940s, Maj. Gen. Glen E. Edgerton, Chairman of the Board of the Export-Import Bank; Brig. Gen. Herbert D. Vogel, Chairman of the Tennessee Valley Authority; and Maj. Gen. Kenneth D. Nichols, General Manager of the Atomic Energy Commission. Every one of these men was a graduate of West Point.

To many Americans, both in high corporate or government office, and also to great numbers of ordinary citizens, success in military life seems a valid qualification for the exercise of civilian authority. Galloway and Johnson believe exactly the opposite. West Point training assumes a value system superior to all others and absolute in nature. "On entering the Academy," the authors write, "[the cadet] is systematically drawn into line with the established values of his predecessors in the Long Gray Line. Should he challenge the facts by offering new ones, he is singled out as someone not to be listened to or considered. He is disregarded or, at best, reminded that he is on dangerous ground because his analysis is unique. . . ." If, like Gen. George C. Marshall, he emerges as a person capable of doing his own thinking and intent on preserving not the traditions of the military service, but those of the Republic, he is a spectacular exception to the West Point rule.

As Lucian Truscott IV made clear in a vivid portrait in *The Village Voice* (May 17), Haig is no Marshall; in or out of uniform he is the perfect West Point martinet.

Galloway and Johnson have confined their analysis to the Army, but it undoubtedly applies to the other services as well. Nor, even within the limits of West Point training and indoctrination, are the conclusions applicable to General Haig alone, or to other West Point alumni in the President's revamped inner circle, e.g., Frederic V. Malek, deputy director of OMB; J. Fred Buzhardt, formerly general counsel of the Department of Defense, now counsel to the President; and Secretary of the Army Howard H. Callaway.

The Army, however, is in a particularly vulnerable position at the moment, and likely to feel the urge to protect itself. It did not cover itself with glory, either in combat performance or in prophecy, in Vietnam; and Mylai tarnished its image. Its incursions must therefore be exposed, and Galloway and Johnson have led the way.

The Wrong Man

When a crime has been committed, especially if it is an atrocious crime, the police may feel obliged to show that they are hot on the trail, when in fact they haven't a single clue, suspect or theory. It can then happen that someone conveniently at hand will be arrested, convicted —with or without a confession—sentenced to prison, and will serve time for a crime that he did not commit.

In this issue (p. 10) Selwyn Raab recounts the facts of the Whitmore case, a classic of its kind, but by no means an isolated instance.

An even more bizarre false accusation came to public attention accidentally through the Ellsberg-Russo trial and the proliferating Watergate scandals. Delving into the break-in at the office of Ellsberg's psychiatrist in Beverly Hills, the defense lawyers discovered that Elmer Davis, 45, an obscure habitual offender, had been accused of the burglary and, since he was on probation for an earlier felony or misdemeanor, had been sent back to Folsom Prison for violation of parole. It then appeared that he could not have burglarized the doctor's office, since he had been in the Los Angeles county jail at the time. Brought down from Folsom to testify before the grand jury that was looking into the burglary, Davis denied that he had confessed, as Beverly Hills police alleged. Other witnesses included Davis' cellmate at the county jail.

If it were fiction, it would be a tall tale. A nobody with a long record of petty thefts and drug violations is cleared through the authentic confessions of E. Howard Hunt, Jr., Bernard Barker and Eugenio Martinez, well-heeled gentlemen, who committed their burglaries, buggings, etc., at the behest of close associates of the President.

In real life the story seldom ends that happily. The wrong man syndrome is not specifically racial, although probably more blacks, Mexican-Americans and Puerto Ricans are its victims than their proportion of the population would explain. Certain types of whites are equally imperiled. Injustice of this sort affects principally persons with these characteristics:

> Either of low-grade mentality, or ignorant, with slow reactions, imperfect comprehension, unfamiliarity with legal procedures, inability to communicate.
>
> Frightened, bewildered (as Whitmore was).
>
> Poor, friendless, with few if any ties to family, friends or organizations.

Individuals of such traits and background are arrested, confess crimes they did not commit and are locked up for years. They are not necessarily beaten or tortured, although that happens. Once stashed away, they are likely to stay stashed. No one has any interest in checking up.

Public defenders are of some help, but a bland recital of a defendant's rights is not meaningful for this type of suspect. The best remedy would seem to be better police work and a keener awareness by law-enforcement personnel that it is perilously easy for the routine of their trade to process an innocent but resourceless man into jail. In a related area and also calling for study, are the frequent cases in which the police offer a "deal" for a plea, as the quickest route to one more "solved" crime.

The principal point in the Whitmore case was that neither the police nor the District Attorney's office took

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the lead in correcting the injustice. Good investigative reporting was responsible. The final irony is that, even so, the man now serving time for the crime which he, not Whitmore, supposedly committed, may also be the "wrong man."

The Rip Van Winkle View

In April, some American friends and a few dozen Congressmen persuaded Attorney General Kleindienst to allow me thirty days in the United States. It was the first time that my wife and I were ever together in the country which remains hers but which stopped being mine when I was deported in 1955.

"You must feel like Rip Van Winkle," said the cameraman of the NBC News team that took us through my old New York haunts. "You can say that again," I said, indicating where I had once lived in an East Side brownstone walk-up: on both sides of the block, there was not a building that I could recognize. We went down to the Battery to greet the Statue of Liberty which, with other political candidates for deportation on Ellis Island, I had studied from the rear for a month in 1953. Then, on a bench facing the Federal Courthouse in Foley Square, I talked for the TV cameras about the political trials that went on there in my time.

But the original Van Winkle didn't return to a Watergate—an improbable scene for the most imaginative novelist. We had hardly arrived when Kleindienst himself joined the procession of political ghosts. On the twenty-seventh of my thirty days I was in Washington, just two decades to the week since my last visit. The investigation of certain White House persons was picking up speed in the same Senate Caucus Room where inquisitor Joe McCarthy had started me down the deportation chute in 1953. Senator Proxmire was talking of "a campaign of McCarthyistic destruction" against President Nixon, whom I remembered as the discoverer of microfilm in a pumpkin. A mile from the Watergate epicenter I was chatting, as one more or less respectable gentleman to another, with John Kenneth Galbraith on the *Panorama* TV show.

Long dependent on travelers' tales and *The New York Times* for American news, and warned by the U.S. Consul in Mexico to stick to promoting my book,* I said nothing about the current televised scandals. (About those of my time I had said too much.) As for the general atmosphere of America today, I said it looked good from a Van Winkle point of view.

Not that taking the Bill of Rights literally has stopped being risky; it always was so, and in the nature of things it long will be. But the fear of speaking up for those rights, which pervaded American institutions and individuals in the 1950s, has vanished almost without a trace. For this we surely owe a debt to President Nixon, once a leading alarmist about the Communist peril, whose own journeys to Moscow and Peking have helped erase that peril from the lexicon of politically viable myths.

I have been trying on campuses and TV and radio programs to explain the essence of what I call "the inquisitorial years"—roughly 1945-60—to the new generation that knows almost nothing about them. If you had ever fought for the Bill of Rights you had almost surely come in contact with Communists, who joined in every such fight. Unless you would repent and name your associates you thus became a potential fifth columnist, in view of the Communists' link with Moscow. Guilt by association could trap persons, organizations and publications of the mildest liberal hue (though that wasn't the hue of the publication I edited). Fear of the shadow caused good Americans to flee from their radical friends and hide or burn their radical books. For a political deportee to Britain in the 1950s, the startling first impression was that people there still talked and studied Left, Center and Right politics with equal unconstraint, without glancing nervously over their shoulders.

To a Rip Van Winkle in 1973 the change in America is even more startling. Except for one or two phone-in listeners to Pittsburgh and Boston radio shows, who seemed to be reading from FBI dossiers, I met everywhere with friendliness and uninhibited curiosity about "what it was like" in the frantic 1950s. Everyone talked freely about everything, even if no one seemed very clear about what to do. I was often asked if I felt "bitter," and I said no: all negative experience contains potentially positive elements, and many who cooperated with the inquisition have suffered more, if only from guilt, than many of its victims.

Another impressive change is in the bearing and life style of black Americans, and to a lesser extent of other minorities. Blacks move about as if they belonged, as if it were their country as much as anyone else's.

When asked if I'd like to return to the United States to live, I was reminded of Groucho Marx's reply to some similar question: "I wouldn't belong to a club that would have me as a member." Seriously, despite the long absence, I've felt more at home in these thirty days than I can feel anywhere else. The New York-New England area where my visa permitted us to go is even lovelier in the spring than I remembered, and most of our close friends live there. But there are other good places to live. And it's a question of changing the laws that permanently exile me and exclude—save for exceptional visitors' visas with strict time and place limitations—all aliens with Socialist ideas like mine.

Few Americans realize that "McCarthyism"—perhaps by its own momentum, because no one has bothered to do anything about it—continues to rule their consular representatives abroad. Unless my thirty days were wholly delusive, your consuls live in another world from the America of 1973. Tied to a legislative dodo, they dig out dusty dossiers and submit would-be visitors to "Are you or have you ever been?" interrogations as if Nixon had never clinked glasses with the Russians and Chinese.

I have to wonder how long dozens of outstanding Latin Americans will continue to show up pink in a political litmus test which seems to embarrass the consuls as much as it astounds and affronts their applicants. But I'm grateful for what I got and will certainly try for more, trusting that our American friends will again rally to the cause. "The house I lived in" may no longer be there, but it's "especially the people" that keep me faithful in my affair with America.

CEDRIC BELFRAGE

**The American Inquisition: 1945-1960* (Bobbs-Merrill).

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AFTER VIETNAM

DEFENSE PUTS OUT TO SEA

MICHAEL T. KLARE

For most Americans brought up in the nuclear age, intercontinental ballistic missiles and long-range bombers have replaced battleships and cruisers as the symbols of military strength. Yet recent shifts in U.S. foreign policy—the growing détente with Russia and China, and the pull-out from Vietnam—coupled with changes in the world balance of power have given a new impetus to naval construction and restored the Navy to its elite position in America's military apparatus. The fiscal year 1974 defense budget, released by Elliot Richardson before his transfer to the Justice Department, requested $3.9 billion for acquisition of new ships and modernization of old ones—a rise of 30 per cent from the 1973 figure, and the largest amount designated for this purpose since World War II. Navy spending—$26.4 billion in 1974—tops that of the other services by a wide margin, and top Admirals like Thomas H. Moorer, chairman of the Joint Chiefs of Staff, and Elmo R. Zumwalt, Chief of Naval Operations, are increasingly taking the lead in discussion of national security issues. In a statement to the Senate Armed Services Committee, Zumwalt went so far as to suggest that because of geographical, political and other factors, Navy and Marine forces "may be the *only forces which have utility*" in future military contingencies. (*Emphasis added.*)

Why this sudden emphasis on sea power? Admiral Zumwalt supplies an answer comprised of political, technological and economic considerations. To begin with, nuclear-powered, missile-armed Polaris submarines are now the principal arm of our strategic retaliatory forces—overshadowing the more vulnerable ICBMs and strategic bombers. Second, the rise of nationalist sentiment in both advanced and underdeveloped countries makes it increasingly awkward for the United States to station troops and aircraft on foreign soil. Then, perhaps most important, the United States faces the growing problem of oil. It must expand its petroleum imports, and must be able to do so even in a hostile environment or under wartime conditions. By 1985, Zumwalt predicts, we shall need to import some 12 million barrels of oil per day. "That will require from several hundred to over 1,000 tankers . . . fully committed to deliveries of oil to the United States. The potential for coercion of the U.S., with or without allies, inherent in this situation is ominous." Without a strong Navy, he argues, "we cannot rationally engage in commerce, honor treaties or deploy forces abroad."

To understand more fully the reasons behind the current naval build-up, it is necessary to consider the changes that have been made in U.S. strategic doctrine as a result of our questionable performance in Vietnam and the changing world military environment.

The American war machine was badly mauled in Vietnam: not only was a modern 500,000-man U.S. expeditionary Army fought to a standstill by less than half as many peasant soldiers, but public support for the military reached its lowest point since World War II as millions of people joined the anti-war movement and many others began to question the basic assumptions of U.S. foreign policy. As we enter the post-Vietnam era, it is evident that the defense establishment must accommodate itself to the following restraints:

¶The American public will not again sit by while large numbers of U.S. ground troops are dragged into a protracted counter-guerrilla war.

¶The growing concern with domestic issues, coupled with unbridled inflation and huge balance-of-payments deficits, suggests that relatively less federal money will be available for defense programs in the years ahead.

¶The spread of anti-war sentiment to the armed services, and growing GI resistance to racism and repression, have substantially reduced the combat worthiness of many units and have forced the Pentagon to abandon many manpower-intensive strategic plans.

The turbulent domestic reaction to America's involvement in the Indochinese conflict has also dulled public awareness of changes taking place elsewhere in the world. Only now, with disengagement from Vietnam nearly complete, can the country begin to appreciate the magnitude of power realignments that have taken place in the past decade. Throughout most of the cold-war era, we faced only the Soviet Union, and most international crises were defined in terms of that East-West rivalry. Today, most analysts agree, we are part of a multi-polar power balance with four other major powers: China, Japan, Western Europe and the Soviet Union.

Although the United States is still stronger militarily than any other great power (or than most combinations of two or three powers), we now face a situation in which we could find ourselves on the weaker side of a world power realignment. Unless America is willing to employ nuclear weapons in defense of *any* government or territory deemed vital to its interests, it can no longer expect to emerge victorious from *every* armed encounter in which it might become involved. As noted by Adm. Thomas Moorer, ". . . our relative military power throughout the world has peaked and is declining. We no longer possess that substantial strategic superiority which in the past provided us with such a significant margin of overall military power that we could, with confidence, protect our interests worldwide. Henceforth, we will have to chart our course with much greater precision and calculate our risks much more cautiously."

The dilemma facing American strategists is further complicated by the fact that, although the world's power equation has changed drastically, American global ob-

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jectives have not. The paramount objectives of U.S. foreign policy have been, and will continue to be, containment of Soviet power and influence, the defeat of national liberation movements in the Third World, and the expansion of America's share of world trade. During the cold war, these objectives were framed in a rigid anti-Communist ethic which justified American intervention at the slightest sign of Communist activity in one of our "Free World" protectorates. The Sino-Soviet split and Vietnam have changed all this. On the one hand, the government no longer has *carte blanche* to intervene abroad at times and locations of its choosing; on the other hand the split has provided U.S. policy makers with a much wider range of options—diplomatic, economic and military—than were available to previous administrations for the attainment of U.S. objectives.

The new flexibility is subject, however, to some important restraints: despite our failure to create a self-sufficient client government in South Vietnam, the United States is still committed to the survival of numerous other pro-U.S. regimes throughout the Third World. Since such governments can be expected to engender discontent as long as they frustrate popular demands for self-determined national development, the need for American military support can never be completely erased. The Administration, in its attempt to steer safely through this hazardous course, has come up with the "low profile" approach of the Nixon Doctrine. Although there has been much debate concerning the precise meaning of the new policy, most observers agree that it will involve the massive deployment of U.S. air and naval forces whenever the indigenous ground troops of a client regime are threatened with collapse (as occurred during the enemy's May 1972 offensive in South Vietnam).

For obvious reasons, the United States will try to avoid being drawn into conflicts requiring an extended American military presence on the ground, and will try to avoid being caught in situations where three or more other great powers are aligned against it. At the same time, America must be able to demonstrate its resolve to defend its protectorates abroad, without maintaining an expensive and highly visible overseas military apparatus. What is needed, in the view of most Pentagon strategists, are self-sufficient expeditionary forces that can be deployed quickly in an emergency, play a decisive role in a short time, and withdraw from the battlefield before public opposition has a chance to mature. According to Admiral Zumwalt, "future U.S. military involvement overseas will call first for the high-technology, capital-intensive services—air and naval forces—to support the indigenous armies of threatened allies." Available information suggests a future U.S. global strategy based on these fundamental principles:

(*1*) The United States will gradually withdraw most of its overseas garrison troops, including those in Europe, while expanding its capability to redeploy U.S.-based troops in a hurry. This will require an agreement on mutual force reductions in Europe, and the establishment of well-defended logistical bases to serve as "stepping stones" for the giant transport aircraft that can rush U.S. troops and equipment abroad.

(*2*) U.S. military and economic aid to favored Third World powers will be greatly increased, in order to create local "gendarmeries" that can be used for counterinsurgency operations within the region (as Thai troops have been used in Laos and Cambodia). Such forces will be armed with American weapons, led by American-trained officers, and guided in battle by American advisers. Among the countries being groomed for this role are: South Korea, Thailand, Iran, Greece, Ethiopia and Brazil.

(*3*) America's air and sea forces will be expanded, to insure that U.S. ships and planes will always be available for defense of client regimes threatened with collapse. This will normally involve—as demonstrated last May in Vietnam—the deployment of aircraft carriers to provide support for client armies on the mainland. These mobile forces will also be sent to the coastal waters or borders of a hostile nation to signal America's readiness to intervene should that nation embark on a course deemed inimical to U.S. interests. (Such a strategy was employed in 1970, when U.S. paratroopers were mobilized for intervention in Jordan in order to discourage Syria from sending tanks in support of Palestinian guerrillas under attack from Jordanian troops.)

This projection of U.S. military strategy suggests that the Pentagon will be obliged to give high priority to the development of strong naval forces. Many defense strategists have argued, in fact, that the Navy (and sea-based Marine forces) can provide the best "mix" of deterrent strength and intervention capability: naval forces can be called in quickly when a crisis develops to provide air support (and a modest ground force, if needed), and can be withdrawn just as quickly. This position was forcefully argued by Maj. Robert C. McFarlane of the Marine Corps in 1972: "In the absence of significant forward deployed land forces, Navy and Marine forces stand as the only forces capable of demonstrating U.S. resolve to support its defense commitments. The ability to maintain a constant presence of ready, seaborne forces, whether hull down on the horizon or coming ashore against opposition, typifies the Navy-Marine Corps team as the most logical force for providing visible evidence of U.S. support. This support can be projected without physical intervention and can provide immediate reaction to contingency situations of any level of intensity."

Such arguments are not weakened, in the Navy's view, by the growing climate of détente and the negotiations on strategic arms limitations. "In an era when the *perception of national power* will carry great weight at the negotiating tables of the world," Navy Secretary John W. Warner told Congress in 1973, "the military portion of that national power must remain strong." (*Emphasis added.*) Furthermore, as relations with the other great powers are normalized, we cannot permit radical elements in the poorer countries to undermine the emerging world order: "To assure our nation and others in the world constructive expression for their aspirations," Zumwalt noted, "we must possess and display the resolve to deny those who would encourage tension and seek advantages from dangerous enterprises."

But though most analysts agree that strong naval forces are essential for the attainment of key U.S. objectives, America's fleets are now smaller than at any

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SUMMER SCHEDULE

During the summer, *The Nation* will *not* appear on the following dates: July 9, 23, August 6, 20.

time since the outbreak of the Korean War. The active fleet, which as recently as 1968 numbered 976 major combatant vessels, is currently down to 586 ships—and further reductions are likely in the near future, since older vessels are being retired much faster than new ones are being added. The average age of U.S. combat vessels is now fourteen years, and a third of the active fleet is past the twenty-year mark, when most warships start experiencing serious operating difficulties. Our fleet is also suffering from technological obsolescence: many of the older and slower ships have become vulnerable to anti-ship cruise missiles, like the Soviet Styx, that can be fired from small, hard-to-detect patrol boats. (The effectiveness of these missiles was demonstrated in 1967 when Egypt sank the Israeli *Elath* with a Styx fired from a patrol boat.) The availability of such missiles enables the navies of even the smaller Third World countries to mount a formidable defense against naval attack by the big powers.

During this period, as the American Navy declines in numbers, the Soviet Union is devoting considerable resources to the expansion of *its* navy. The growth in Soviet naval strength has been "spectacular," according to the 1970-71 edition of *Jane's Fighting Ships*. "It seems that once in her stride there is no stopping her naval progress," writes *Jane's* editor, Raymond Blackman. "Each year for the last few years a new type of rocket cruiser or missile destroyer has appeared. Each year a new class of submarines has been observed." In a 1971 address to the New York chapter of the American Ordnance Association, Vice Adm. Hyman G. Rickover discussed the Soviet naval build-up in alarming phrases: "The Soviets are embarked on a program which reveals a singular awareness of the importance of seapower, and an unmistakable resolve to become the most powerful maritime force in the world. . . . They are surging forward with a naval and maritime program that is a technological marvel."

Advocates of a stronger U.S. Navy have gone so far as to create a "naval gap," similar to the "bomber gap" of the 1950s and the equally fictitious "missile gap" of the 1960s, to drum up support for increased appropriations. Thus Rep. Robert L. Sikes of Florida told the House of Representatives in 1971 that the U.S. Navy was "steadily falling behind in its capability to meet a serious threat" such as that posed by the Soviet Navy. "I am convinced," he asserted, "that we are rapidly approaching the time when we shall have only the second best Navy in the world." In only slightly more moderate tones, chairman of the Joint Chiefs of Staff Moorer told the Senate Armed Services Committee in 1972: "The continuing growth of Soviet naval capabilities relative to our own is a matter of increasing concern to the Joint Chiefs of Staff. The Soviet Navy has already acquired a global reach. Their ships are now operating on a sustained basis in the Atlantic, Pacific and Indian Oceans, the Mediterranean and increasingly in the Caribbean." Unless we accelerate the modernization of our own fleet, Moorer warned, "the Soviets will increasingly challenge our control of the seas in those maritime regions essential to the success of our forward defense strategy, as well as in ocean areas closer to home."

Although some Congressmen have scoffed at reports of a "naval gap," the Pentagon's scare tactics appear to have had the intended effect: Navy shipbuilding appropriations rose from a low of $1.2 billion in 1968 to a peacetime record of $3.9 billion in fiscal 1974—an increase of 225 per cent. Admiral Zumwalt would like Navy spending on ship construction to continue at the rate of about $5 billion annually for the next ten years in order to obtain a modern, $50 billion combat fleet. To prepare Navy forces for the tasks identified above, naval engineers are rushing the development of new classes of ships, and accelerating the modernization of existing ones. Radical new hull designs and propulsion systems are being tested for use in the warships of the future. Under prodding from the Pentagon, the shipbuilding industry is gradually beginning to adopt the production techniques and technological achievements of the aerospace industry. After years of planning, the Navy is ready to launch a new generation of fighting vessels.

The 1974 fiscal year defense budget, as detailed by Admiral Zumwalt, will provide funds for the construction of fourteen new ships and for acquisition of "long lead time items" (nuclear power plants, complex fittings, etc.) for another two dozen vessels to be built in succeeding years. Among the shipbuilding programs that will receive the most Navy attention in coming months are:

¶*CVN-70*, the fourth nuclear-powered aircraft carrier to be acquired by the Navy, and the most expensive. According to Vice Adm. Frank H. Price, Jr., director of Ship Acquisition, the four nuclear carriers "will be the heart of the Navy quick reaction forces in the 1980s." The Pentagon requested $657 million for work on *CVN-70* in fiscal 1974, and the final cost is expected to approach $1 billion.

¶*Trident*, the Navy's replacement for the Polaris/Poseidon strategic missile submarine, may well prove to be the most costly defense program of the 1970s. A total of $1.7 billion is allotted for the Trident system in fiscal 1974 alone, and no one knows how much will be needed by 1979, when the first vessel is operational.

¶*DD-963*, the *Spruance*-class, missile-armed destroyer, ran into trouble last year when Congress cut off production funds on the ground that the prime contractor—Litton's Shipbuilding Division—was incapable of meeting construction deadlines because of delays on another major Navy program, the *LHA* amphibious assault ship. Admiral Zumwalt now says that the Navy has everything under control, and has requested another $585.8 million to complete seven ships already under construction, and to begin work on another seven.

¶The *LHA* assault ship, known as the Marine Corps' "dream boat," is the first vessel specifically designed for helicopter-assisted "over the beach" invasions. Resembling a small aircraft carrier, each of the five *LHA*s now under construction will carry a 2,000-man Marine landing force plus all their equipment.

¶The Sea Control Ship (*SCS*) will carry helicopters and

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V/STOL (vertical/short takeoff and landing) aircraft developed for an anti-submarine warfare mission. Still in the design stage, the *SCS* "mini-carrier" will displace about 15,000 tons and cost about $150 million each. The Navy is seeking $29 million in fiscal 1974 to begin work on the first of this class.

¶The Surface Effects Ship *(SES)* will "fly" over the ocean on a cushion of compressed air. Two experimental ships have already been constructed, and the Navy is seeking $74 million in fiscal 1974 to continue development of larger *SES* vessels.

Of all these programs, the *SES* probably has the most significance over the long run. Unlike all other vessels, the *SES* does not depend on a hull for buoyancy but "hovers" above the water; once "airborne" on its pressurized air cushion, it can travel at very high speeds—more than 100 knots—even in rough seas. Development of such ships, Zumwalt told Congress in 1972, "offers the potential for revolutionizing naval warware." Even though such vessels are still in the experimental stage, Navy planners talk wistfully of a "100-knot Navy" with *SES* missile boats, *SES* assault craft, and *SES* "mini-carriers" equipped with VTOL.

In the years ahead, as the last American ground troops are withdrawn from Vietnam and the nation turns its attention to problems that have accumulated at home the Pentagon is certain to push ahead with plans to expand its mobile intervention forces, and particularly its naval attack capability. The build-up of naval forces leads inescapably to the conclusion that, if we exclude all-out nuclear exchange and protracted counter-guerrilla warfare as probable in the coming decade, naval conflict and/or naval-assisted Marine assaults are the most likely military situations we shall face. That is so not only because the Defense Department is shifting its overseas military apparatus from land bases to seaborne bases, or because potential enemies are building up their navies, but also because the United States is increasingly relying on naval forces as an active *instrument of intimidation* to deter weaker nations from embarking upon any course of which we do not approve. □

CONVICTION BY CONCEALMENT

JUSTICE vs. GEORGE WHITMORE

SELWYN RAAB

One morning last April, George Whitmore awoke in a cell at Green Haven State Prison in upstate New York to confront another monotonous day. The major events on his schedule were three bland meals and a work shift in the tailor shop where he would be paid 3¢ for every dozen pillow cases he stitched up on a sewing machine. Stretching ahead of him were possibly five more years of the same daily routine.

That morning, however, was Whitmore's last in prison. Dist. Atty. Eugene Gold dramatically announced to a Brooklyn courtroom that, nine years after the event, new evidence had been uncovered to indicate that Whitmore was innocent of the final criminal charge—attempted rape and assault—hanging over him. With Gold's official blessing, Whitmore, 28, the central figure in one of the country's most tangled multiple crime cases, was unexpectedly set free after serving almost five years.

Most news reports (*The New York Times*: "Whitmore Wins Freedom on Gold's New Evidence") gave the impression that the prosecutor and the police had joined in a humane campaign to right a judicial wrong. Unmentioned in those newspapers, television and radio reports was the fact that Whitmore had been unjustly imprisoned because the police as well as staff members of the Manhattan and Brooklyn District Attorneys' offices had concealed evidence vital to his defense. They had concealed it from the day of his arrest to the day of his release.

The nine-year struggle, in and out of courtrooms, to exonerate Whitmore demonstrates much of what is wrong with America's criminal justice system; especially, it illustrates the difficulties a penniless suspect has to obtain competent counsel, investigative support and fair play from conviction-dedicated cops and prosecutors.

George Whitmore's troubles began in April of 1964. He was black, 19 years old, with a 9th-grade education; he had recently moved from his hometown of Wildwood, N.J., to live with relatives and find work in the Brooklyn slum section of Brownsville. While walking home early one morning he thought he had seen a would-be rapist escaping from the police. Whitmore volunteered this information to a patrolman. Having grown up in a semi-rural community 100 miles from Brownsville, Whitmore had never before had any brushes with the law or with racial discrimination. At the time of his arrest relatives and friends uniformly described him as a meek, unsophisticated youth who knew little about slum life. Unlike most ghetto youngsters he apparently had no fear of cooperating with the police.

Instead of questioning the youth as a possible witness, detectives invited the victim of the attempted rape to identify Whitmore as her assailant and then accused him of the crime.

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As soon as the identification was made, the interrogation began. Whitmore was questioned for twenty consecutive hours in a small back room at Brooklyn's 73rd Precinct. Detectives later testified that Whitmore quickly confessed to having attacked a 20-year-old practical nurse, Mrs. Elba Borrero, as she walked home alone.

Having confessed to the attempted rape, so the detectives claimed, Whitmore without any further prodding also admitted the fatal stabbing of a woman whose sexually abused body had been found in a Brownsville alley the week before.

Detectives drifted in and out of the precinct during the questioning. One of them, Edward Bulger, had been previously assigned to the notorious Career Girls murder case. Eight months before Whitmore's arrest, on August 28, 1963, Janice Wylie and Emily Hoffert had been bound together and slashed to death in their Manhattan apartment. Despite an unprecedented investigation, the Wylie-Hoffert murders seemed unsolvable, at least until detective Bulger began poking around among Whitmore's scant possessions.

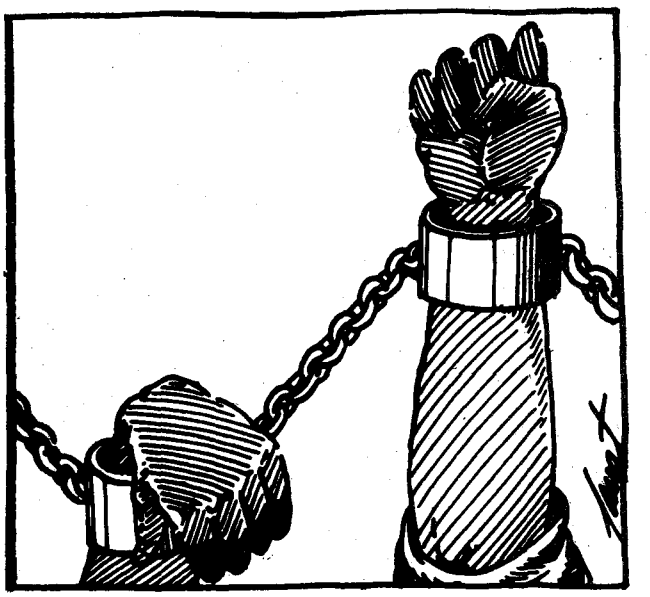
In Whitmore's wallet Bulger found a snapshot of two young women, one of whom, a blonde, he was certain closely resembled Janice Wylie. Spurred by the discovery of the photograph (the blonde in the picture turned out to have no resemblance to Janice Wylie, and Whitmore's claim that he carried the photograph to impress his friends was later substantiated), the police turned their interrogation toward the double-murder case. And Whitmore, again without coercion, the police said, confessed to this crime, providing them with a 61-page confession replete with "details only the killer could know."

So, during one day of questioning Whitmore had confessed to three murders and an attempted rape and had cleared up one of New York's most sensational murder mysteries. But he was innocent. Incredible as it may seem, Whitmore had been intimidated into confessing crimes he could not have committed and for which he had invincible alibis.

In an explanation which rings true, Whitmore asserted that his interrogators at first punched him and then threatened him with more severe beatings unless he cooperated. Conceding that he was confused and frightened, Whitmore said that segments of each "confession" were repeated to him by detectives until he had memorized significant portions. These rehearsals were for the benefit of two assistant district attorneys who arrived at the tail end of the interrogation and obtained Whitmore's official "confessions" in the presence of a stenotypist. Many of the questions put to him by the assistant district attorneys simply required a "yes" answer.

Within a year of Whitmore's arrest, the three murder charges were dismissed. His exoneration of these three crimes came largely from the work of defense lawyers and from investigations by newspaper reporters, not through the efforts of the police or D.A.s. However, the attempted rape accusation was not dropped. Whitmore was tried and convicted three times; each time Mrs. Borrero took the witness stand to identify him as the attacker.

In 1965, when the counterfeit confession story exploded, Whitmore briefly became a legal *cause célèbre*.



As offers of help poured in, the young black was represented at one point by six lawyers! He was surrounded by so many courtroom counsels that his defense table looked as if it were made up of a battery of corporation lawyers fighting an antitrust suit. This abundance of attorneys, however, probably damaged Whitmore's defense, because lawyers continuously dropped in and out of the case. At each trial for attempted rape he was represented by a different set of counsel. Disagreements and shifting strategies undoubtedly caused courtroom oversights and mistakes, and defense errors, combined with concealment of evidence by the police or prosecutors, resulted in a weird trio of trials at which no jury heard the full evidence.

Testimony overlooked or withheld at one or more trials included: (*1*) an eyewitness who might have disputed Mrs. Borrero's version of the crime; (*2*) the disclosure that Mrs. Borrero had identified someone other than Whitmore as the assailant; (*3*) an FBI report indicating that a button pulled from the attacker's coat by Mrs. Borrero probably did not come from Whitmore's coat; (*4*) witnesses who could have substantiated Whitmore's story that it was impossible for him to have been on the street at the time the would-be rapist began following Mrs. Borrero; (*5*) cross-examination to establish that Mrs. Borrero had applied for a $10,000 reward when Whitmore was indicted as the Wylie-Hoffert killer and therefore her consistent identification might have been influenced by a financial interest.

Whitmore's first two convictions for attempted rape were set aside because of prejudicial remarks by jurors and hints of suppressed evidence. The third conviction in 1967 resulted in a prison term of five to ten years; it was a harsh sentence, considering that Whitmore had never been arrested before the Borrero incident and considering the ordeal he had already suffered for three years. After this last trial the destitute Whitmore's cause no longer was a chic civil rights issue and free legal help was hard to get. Finally, Myron Beldock, a Manhattan attorney with a strong civil rights background, agreed to become Whitmore's eleventh lawyer and to represent him

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before the appeals court in another try for a new trial. Reviewing the thick record of the case, Beldock noticed a cryptic reference in one detective's notebook suggesting there might have been an undisclosed eyewitness to the attack on Mrs. Borrero. The missing witness turned out to be Mrs. Celeste Viruet, a sister-in-law of Mrs. Borrero, who had lived at that time in the same tenement as the victim.

All of the previous defense lawyers attested that they had never been shown the detective's notes about the eyewitness, nor had they been infomed of her existence. During four years of hearings before various New York and federal appeals courts, between 1968 and 1972, Beldock searched vainly for Mrs. Viruet, the witness. The chief point of his appeal was the discovery of a new witness.

But Brooklyn D. A. Gold's appeals bureau steadfastly insisted that Mrs. Viruet, even if found, could make no contribution to the case and certainly could give no facts that would assist the defense. This prosecution argument was upheld by three appeals courts. Whitmore remained free on bail until the spring of 1972, when his petition to New York's highest court was rejected and he was ordered to complete his sentence in Green Haven Prison.

With Whitmore back in jail, lawyer Beldock turned to *The 51st State,* a news program on Channel 13, a noncommercial New York television station, for investigative aid in tracking down the sister-in-law. Mrs. Viruet had moved from Brownsville in 1966. After six months of checking out leads, the searchers finally traced her last December to a suburb of San Juan, Puerto Rico. And, contrary to the courtroom assertions of the Brooklyn D.A.'s office, the sister-in-law did provide vital evidence.

In brief, she recalled that on the night of the attack she had been waiting up for Mrs. Borrero and from her 3rd-floor apartment windows had gotten two separate looks at the attacker. Detectives questioned her at the time and she informed them of what she had seen and heard. She was, however, never asked to identify Whitmore, an extraordinary oversight by the police, since she had gotten a clear look at the attacker. Mrs. Viruet said she had been unable to see the assailant's face, but she could have testified as to his height, weight and build, thereby supporting or refuting Mrs. Borrero's identification of Whitmore. Furthermore, Mrs. Viruet said that Mrs. Borrero had provided her with details that contradicted vital portions of Mrs. Borrero's courtroom testimony. A shy woman, Mrs. Viruet was silent for nine years because she had been unaware of the importance of her testimony and because the police never followed up their initial questioning of her.

Confronted by this fresh evidence, Brooklyn D.A. Gold started his own investigation. At the time of Whitmore's arrest in 1964 and during his three trials and convictions, Aaron Koota had been the Brooklyn D.A. Gold succeeded Koota in 1969, when the latter was appointed to the bench. While Gold had played no part in Whitmore's trials, it was under his administration that the D.A.'s office for three years had opposed Whitmore's last appeal, belittling the significance of Mrs. Viruet's testimony. Now Gold went himself to Puerto Rico, to question Mrs. Viruet and confirm what she had told Whitmore's lawyer. From this trip the D.A. brought back still another piece of the jigsaw—evidence which must have been suppressed by detectives who had worked on the Borrero investigation and which most probably had been known to one or two assistant district attorneys.

Gold discovered that a few hours after the attack, Mrs. Borrero had picked out of a rogues' gallery file the photograph of a convicted sex offender, and identified him as the man who had assaulted her. At that time, Whitmore had never been arrested; there was no photograph of him in any police file.

It took years of investigations by lawyers and newsmen to piece together the sordid account of how police and district attorneys' offices tampered with one man's life. There is no way to determine the motives of all the various law-enforcement officials involved, but after nine years the complete record of their activities is at least finally available for inspection.

Manhattan Dist. Atty. Frank Hogan and his key aides realized on the day of Whitmore's arrest for the Wylie-Hoffert murders that the evidence against him was weak; yet they remained silent for nine months about the mistaken photograph of Janice Wylie and about Whitmore's convincing alibi that he had been in New Jersey, 100 miles from the murder scene. Their silence helped to associate him falsely with the heavily publicized Wylie-Hoffert murders, and that in turn worked to bring about his first conviction for attempted rape and complicated his other two trials.

Hogan has defended his policy of silence by insisting that he was then hot on the trail of the real murderer of the career girls and that Whitmore's early exoneration could have fouled up that investigation by putting the second suspect on his guard. Quite a Solomon-like decision for a prosecutor to make: concluding that Whitmore's rights were less important than the eventual capture of the Wylie-Hoffert killer.

It has become chillingly clear that former Brooklyn District Attorney Koota's staff consistently withheld vital evidence—the FBI report on the coat button, the existence of Mrs. Viruet, and the fact that Mrs. Borrero had identified someone besides Whitmore. And if D.A. Gold or someone in his office had pressed the search for Mrs. Viruet in 1969, when the issue was first raised by defense lawyers, Whitmore would have been spared four additional years of turmoil.

If any common motive can be ascribed to the dozen detectives and assistant district attorneys who so zealously prosecuted Whitmore, it is probably nothing more complex than embarrassment. Whitmore's phony confessions tarnished the reputations of every law officer involved in his interrogation and convictions. Since Whitmore had been the "wrong man" in two murder cases, somewhere along the line the police felt compelled to prove he was guilty of at least one crime—that his arrest had not been a total blunder. Their only "out" was the Borrero incident. To this day, none of the involved detectives or officials will publicly acknowledge that serious errors were committed. None of those who participated in Whitmore's arrest, interrogation or trials has ever been brought up

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on criminal or departmental charges. Everyone is still on the job or has been permitted to retire with full pension and honors.

Another indication of how well the police have managed to come out of this affair was a recent television movie, *The Marcus-Nelson Murders*, a thinly disguised treatment of the Wylie-Hoffert investigation. In real life, no detective did anything to help Whitmore, but in the film, the hero who moves legal mountains to aid Whitmore is, of course, a New York detective.

Life has not been so easy for Whitmore. He was married during one period of freedom on bail but that marriage foundered when he returned to prison. The notoriety clinging to him has made it difficult for him to find steady work or to live in Wildwood, a town where he wants to settle but where almost everyone knows about his controversial past, and where some people still think of him as a "killer."

Whitmore's lawyers have started a $5 million false arrest suit against New York, but because three juries convicted him, many legal experts doubt that he will collect a penny. Yet the way evidence was hidden to help convict him raises wider doubts about the fairness of "discovery" hearings, at which the prosecutor is supposed to reveal all exculpatory evidence. His trials support a long-standing complaint by many defense counsel: prosecutors possess too much power to exercise judgment on what is and what is not valuable evidence.

Although Whitmore's legal problems seem resolved, a great shadow still hovers over the Wylie-Hoffert investigation. Richard Robles, now 30 years old, is serving a life sentence for the murders. A former narcotics addict and burglar, he was convicted in 1965, without one piece of material evidence being presented against him. The substance of the prosecutor's case was two disputed confessions.

Robles' trial took place at a time when juries were more willing to trust police testimony than they are today. Much of the police testimony against him would be inadmissible under current court rules. Robles, however, is unlikely to win a new trial because he was convicted one year before the *Miranda* ruling on confession evidence (a finding ironically influenced by Whitmore's false confessions) and the Supreme Court has refused to apply that decision retroactively.

Besides the lack of solid evidence against Robles, there is another element of doubt. Robles' mother had been ready to testify that he was in their apartment asleep when the murders were committed. Mrs. Robles, however, died before the trial and there was no way of getting her testimony before a jury. Furthermore, Robles' grandmother spoke with the mother on the telephone that same morning, and she would have confirmed the mother's statement. But without Robles' mother as a witness, the grandmother's story was inadmissible hearsay testimony. Thus, his alibi can never be brought before a jury.

A nine-year saga of crime and justice in America has ended with Whitmore being freed and Robles sentenced to a lifetime in prison. Yet there are still nagging doubts that Robles was fairly convicted or that the Wylie-Hoffert murder case was ever solved. □

The Ideology of Counterrevolution

ALAN WOLFE

Although education officials are expected to be relatively conscious of the nature of their work, they often find themselves overwhelmed by unforeseen events. Clark Kerr surely did not expect, when he refused to allow tables to be set up along an obscure plaza, that an entire movement was about to begin. But it did, and its very unpredictability gave the so-called student movement an aura of novelty. It has to be called a "New" Left, for concomitant with surprise is forgetfulness, and any old Lefts that were around had already been obliterated.

One might expect that having, so to speak, been burned once, education policy makers would be prepared for the next series of campus revolutions. And indeed they tried to be. Various officials were constantly on the lookout for discontent. Student opinion was consulted, new programs were created, demands carefully weighed. The trouble was that, when the new wave of discontent broke out, it came from none of the expected directions. It was not women, not blacks attending college in increased numbers, not veterans coming home from Asia with new ideas and fewer inhibitions, who stirred in dissatisfaction. The ferment came instead from real estate dealers, construction workers, suburban residents, the Republican Party. The second wave of the revolution was a counterrevolution, and those who had not been prepared for the first were equally surprised by the second.

Indications of the counterrevolution are appearing everywhere. Self-proclaimed moderates, who once saw themselves as a last bastion of reason and rationality against left-wing extremism, now use, with characteristic unoriginality, exactly the same arguments against the Right. Warnings of "McCarthyism of the Left" have been replaced by the echoes of the original cry. People have once again taken to the streets, only this time to preach law and order in one of the most unlawful and disorderly ways imaginable. The news that a school building has been occupied now means a racial reaction, as in Canarsie. The counterrevolution has even found its own ideologues; tired social scientists who had praised the 1950s, and who

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one thought had retired from active commentary, have reappeared, strung out on Geritol, preaching the gospels of *status quo*, racial inferiority and anti-radicalism.

It is no wonder that this movement has caught people unawares. Counterrevolutions, by definition, require revolutions to counter, and the ferment of the 1960s hardly qualifies with the French, Russian and Cuban examples. True, there was a great deal of activity. There were even significant changes—not so much in concrete institutions as in people's attitudes toward education and American society. But that was all prelude, first steps in a long process. The visibility, however, had the effect of convincing people that it was the real thing. (It was that contemporary folk hero, Martha Mitchell, who confused a demonstration at the Justice Department with the Russian Revolution.) And in America, where fantasy often substitutes for reality, the semblance of revolution was enough to start a recycling. The irony is that, given the conservative direction of American society at the present time, the counterrevolution may achieve a substance that the revolution never had.

Counterrevolutions are less exciting, and therefore less thoroughly understood, than their opposites. They proceed, not so much by sharp outbursts of political activity, as by less visible bureaucratic blockage, unpublicized retrenchment, increasing supervision and evaluation, and intensive re-examination. Attracted to what is striking, the news media cover pseudo-revolutionary events with more attention than they give to real counterrevolution. Those in positions of power are quicker to call attention to the activities of those who threaten their power than they are to detail their own methods of keeping it. For all these reasons, the counterrevolution has not been seen in its full dimensions.

The forces of counterrevolution begin at the very top of American society, in the Presidency. What with Watergate and related scandals, people may forget Mr. Nixon's earlier actions, many of which were equally scandalous, though perfectly legal. His leadership of the attack on education is one such action. The rude firing of former Education Commissioner James Allen was a model of how to humiliate a sensitive and intelligent administrator. Nixon's persistent vetoes of education bills, three before the 1972 election, reveal a President willing, even eager, to play both footsie and politics with people's desire to learn. His proposed budget for fiscal 1974 would abolish just about every new program created in the area of education in the last fifteen years. Obviously, the man sees great profit to be reaped in this attack, and it behooves us to find out why.

Part of the answer is ideological. Americans, whom Nixon recently described as "children," are becoming pampered and soft. We must return to the good old days, when businessmen made their profits and everybody else left them alone. Education gives people too many new ideas, disturbing the smoothness of corporate rip-offs. We got along fine without much higher education in the 1890s. What was good then is equally good now.

But Nixon is a politician as well as an ideologue, and therefore he is not only a leader but a follower of the reaction. Dissatisfaction with the student movement of the 1960s has been around since the movement itself started. Other elites have used this disenchantment to try to roll back gains from that period. Faculty members, for example, are getting the word that politics will once again be forbidden them. Organizations like the American Association of State Colleges and Universities began the trend by revising academic freedom to include certain kinds of responsibilities. Any faculty member who met the responsibilities would never need the freedom while anyone who needed the freedom would be defined as irresponsible. Political firings picked up, as conservative administrators realized that no backlashes would be forthcoming.

Politicians at all levels responded favorably to the new "get tough" mood on campus. Support for education reform could easily be linked to support for bussing and other anathemas, and politicians were not likely to display quixotic courage when it was a matter of keeping their offices. Thus all levels of education became linked. An attack on bussing was the same as one on open admissions; both were racially motivated and designed to freeze education ferment. From the Vice President, who loudly applauded educational "excellence" in his attack on open admissions, to the Mayor of Philadelphia, who opposed a teachers' strike as an assault on his personal prerogatives, the new direction was clear.

The counterrevolution in education is not simply the work of political and education leaders. The general public, the same one that overwhelmingly re-elected Nixon and Agnew, has also revealed its hostility to change and reform in many ways, as public opinion polls and votes for conservative candidates demonstrate. It would be convenient to argue that the public reaction is mere manipulation by elites, not reflective of a "true" sentiment. There is some truth to that notion. The media coverage of campus demonstrations, which focused on the violence but never on the demands, their background, or what happened to them, undoubtedly contributed to hostile public feelings. Nor did the demagoguery of politicians help. But that is only part of the truth. To many who had little education, the example of college students who had "made" it, but who did not seem to want it, was galling. And it was true that bussing was sometimes sponsored by politicians whose children went to private schools.

Many Americans, then, did have reason to be upset by the direction of education reform in the 1960s, but they took out their grievances by supporting politicians who would only make the situation worse. It is not the first time in history that people have supported their oppressors out of fear of change. In fact, it conforms to a classic definition of counterrevolution—a movement in which the lower-middle class comes to oppose those below them by giving unqualified support to those above them. The counterrevolution solidified itself in the interaction between an increasingly conservative electorate and the political ambitions of reactionary politicians.

Every political movement creates its ideologues and propagandists. The student movement had many, whose writings were quoted as often as they were misunderstood (Marcuse, for example). Another sign of

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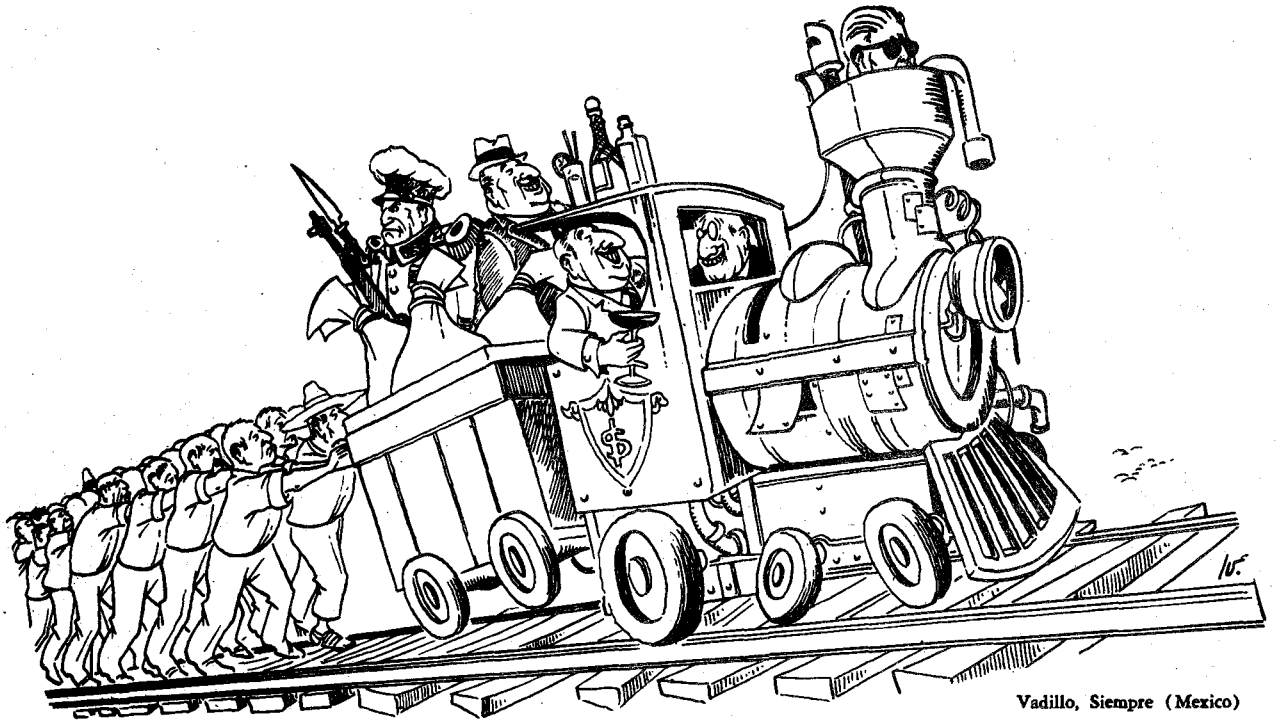

Vadillo, Siempre (Mexico)

the changing times is the attention being given by the press and opinion leaders to the counterrevolutionary ideologues.

The new ideology exists in bits and pieces and comes from two major directions. One is the re-emerging popularity of racism around the Jensen-Shockley axis. Every counterrevolution seems to need an ideology of racial inferiority and in the modern world pseudo-scientific approaches are generally the most effective. This is not the place to repeat the various arguments by Jensen and his critics. It is, however, the place to note that these arguments do not emerge out of thin air. Real considerations are at stake and, whoever wins the scientific argument, the new ideology has already made its point. Politicians do not need truth to roll back progress; they would in fact be severely hindered by it. What they need are myths, and few better ones can be found than those which lie in the genes—about which, for the present at least, nothing can be done. So writers like Richard Herrnstein, Harvard psychologist, take to the pages of mass subscription magazines to repeat the gospel.

Strict racial inferiority is still too strong for many to accept in a society where overt racism is considered impolite. A more subtle approach, like the one used by Edward Banfield in *The Unheavenly City* (reportedly one of the President's favorite books), is far preferable. Banfield argues that those doomed to perpetual inferiority are not the blacks, as such, but poor people of all sorts, whose inability to plan for the future through delayed gratification consigns them to perpetual servitude. This is the intellectual version of a Jerry Birbach at Forest Hills, who says that he is not against blacks living in his neighborhood, just all poor folks—as if that made it better. Class chauvinism is in many ways more profoundly reaction than racism, and Banfield's book will be the text of class chauvinism for some time to come.

Preoccupation with race and class is only part of the picture; for the counterrevolutionary position on policy questions one must turn to *The Public Interest* conservatives, a small band that has been justifying the *status quo* for some twenty years.

The best summary of its position is to be read in a piece that Irving Kristol recently wrote for the Annual Education Review of *The New York Times*, to indicate his attitude toward a non-problem. (A basic proposition of this group is that there never are any problems.) Kristol's article can be taken as a manifesto of the new mood, since it covers almost every position that one could expect the counterrevolution to support. How is it, he asks, that the decade of reform meant so little, that it is now passé? Obviously, the patient was not quite as sick as the doctor suggested. (One could, of course, come to the opposite conclusion that the patient's health has not changed because it was so bad to begin with.) In elaborating this position, Kristol touches on a number of points of interest.

Kristol is a genuine conservative, not simply an ideologue, and in his brief article he develops four key aspects of conservative thinking. One is that certain things can never be understood. Technology, he points out, has its limits; not all problems, including education, have a technical solution. Human understanding of some matters, as how to deal with discipline problems in ghetto schools, is incomplete and will always remain so. Second, he displays a strong measure of elitism. "Excellence," Kristol notes, "is always in short supply"; therefore we may as well give up hope for change if it is to be based on creating a large number of excellent teachers. Third, social institutions can be judged by how long they have existed —the longer, the better. The mere fact that our school systems are so resistant to change proves how good they are. Finally, like all historical conservatives, Kristol attributes the problem to a moral crisis. A society in transition is not one that can develop the long traditions needed

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for answers to moral dilemmas. In the face of all these paradoxes, the conclusion, to Kristol, is apparent: *laissez faire*. "We should," he concludes, "be grateful for the inertia of our educational systems. . . ."

Whatever works come out of the counterrevolutionary ideology will probably just elaborate on Kristol, who has said it all. As an outline of the new defense of the *status quo*, this kind of analysis should not so much be refuted as understood in its counterrevolutionary context.

Finding the cause or causes of the counterrevolution is not easy. To the counterrevolutionaries themselves, however, the cause is simple: excess. If the demands had not been too "far out," the tactics not so provoking, the process more reasonable, then the backlash would not have been so strong. A directly opposite approach is taken by many on the Left. If the institutions of education in the United States were not so rigid, the vested interests not so entrenched, then significant change would have occurred and no counterrevolution taken place.

Though formulated in opposition to each other, the two approaches have one thing in common: each finds the cause in the educational institutions themselves, their flexibility or rigidity. Both, then, are in all likelihood incomplete, because both tend to ignore the political context within which education policy is made. What is happening in education is not an isolated series of events. The counterrevolution there is part of a whole conservative direction that American society is taking in the 1970s, a reaction against civil rights, women's rights, equality in general. One must seek the cause of the larger movement to understand the changes occurring in education.

The most striking aspect of public life in the years after World War II has been the change in America's image of itself from one of confidence and buoyancy to one of defensive aggressiveness. The close of that war brought home to Americans problems which had been submerged during the fighting, particularly domestic problems. The New Deal had never been accepted by all segments of American society, and the lull of the postwar years was suddenly filled by the rise of ambitious and aggressive young politicians who began to challenge the FDR consensus. But a postwar period is always unsettled as the excitement and sense of purpose disappear. To make up for that loss, the newly developed conservative opposition latched onto the "Communist" issue, which permitted them to retain their conservative perspective, but at the same time to give it a hysterical tone which continued the wartime psychology. It became necessary to prove one's loyalty, and that is where the defensiveness began, because if loyalty were not in question, there would have been no need to have it so strongly asserted. The so-called McCarthy period was a response to the ambiguity of the national mood.

Large groups of people cannot exist in a perpetual state of feverish excitement. The intensity of the war years and the passion of the witch hunts finally turned into the snoring of the Eisenhower years. Nothing, however, had been decided. The foreign and domestic policies of the United States had not been thoroughly dissected and analyzed by the population. No bold leaps either to the Right or the Left had been taken. The nation, in a sense, just yawned. And so by the end of the decade there was a stirring. Two young men ran for President, and the one who sensed a need for movement won, though just barely. Kennedy was not, either as a candidate or as President, committed to any basic change in the political system, at home or abroad. His first commitment was to his own political career and to the system which allowed him to follow it. But compared to the Eisenhower years, his very appearance gave a feeling of movement. And the problems which had existed since the New Deal were still around. The result was the first significant drive toward change, coming from blacks in the South, a group and an area which most people had forgotten still belonged to the country.

What began in the South soon spread through the country. The development of the New Left gave to America what it had lacked since the end of World War II, a sense of optimism and dynamism. Problems were openly discussed, solutions debated, manifestoes issued. The search for viable political forms became a national crusade, as the celebrated end of ideology was revealed as itself a piece of ideology. By 1964 the movement increasingly looked outward; Vietnam came to dominate the scene. It appeared that nothing was safe from criticism, not even foreign policy. The escalation of the war led to an escalation of the movement. By 1968 the normal world of politics was shifting to the streets. But already the mood was becoming ugly. The lack of responsiveness to the movement in high places, the typically American notion that change would be immediate, the naïveté of people practicing dissenting politics for the first time—all these things combined to produce a terrorist wing of the movement. It was never very strong; it never had to be. It was exactly what J. Edgar Hoover and the other guardians of authority wanted. Ugliness was something they understood, and it gave sanction to their own.

As quickly as it had appeared on the scene, the New Left began to disappear. The 1968 conventions and assassinations produced an atmosphere of enormous cynicism. Resentment was everywhere—against a freer sexuality, against those trying to move out of their "place," against the questions that had been asked, against anyone who challenged the notion of America's superiority, now that it was so open to question. Cynicism and resentment became an electoral formula and produced the great American resignation, often called the Nixon Presidency. Hopelessness was transformed into a virtue; those who could most ingeniously deny the existence of problems became Presidential heroes. The cycle had played itself out, and the reaction of the 1948-52 period returned under the leadership of one its old leaders.

Reflecting back on this instant history, it begins to be clear that political reaction has been the rule, not the exception, in the postwar years. While it received enormous attention, the period of movement was actually short (perhaps eight years out of twenty-seven). One could thus say that the significant change which took place in this country began during the war, making the counterrevolution much longer than it at first appears. From that point of view, the crucial event during the war, as Gabriel Kolko has recently shown, was the solidification of the international position of counter-

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revolution in the United States. Once this country became committed to maintaining the *status quo* abroad, it followed that the same policy would be tried at home.

Some will attribute the cause of reaction to imperialism created by the voracious appetite of American capitalism. The trouble with this explanation is not that it is wrong but that it is obvious. America has been an imperialist power throughout this century, and it was under an imperialist motif that progress and optimism were strongest. It is not the strength of imperialism which has produced the reaction but its weakness. It is more often the case that reaction will come about not from victory but from defeat. America is defensive because it is no longer on the offensive. It has not only tried to stop revolutions throughout the world; it has also failed in that goal, as in Vietnam, China and Cuba.

Unable to contain revolution abroad, the leaders of the United States have been able to contain its seeds at home. When people learn that change means a disruption in their patterns of life, let alone possible loss of unfairly acquired status, the fear of change becomes greater than the need for it. And when international events produce an atmosphere of rapid change, the need for people to hold onto what they have becomes that much greater. When a country as powerful as the United States begins to see its time go past, when it can be stalemated at war and matched by the economic power of its rivals, it can adjust to the new situation and keep its relative health, or it can fuel resentment and perpetuate illusions. This country has chosen the latter path for the moment.

Education has been caught in the middle. The 1960s revealed enormous shortcomings in a system of schooling about which most people were proud. But the truth was that it was not working, perhaps never had worked as people thought. The cries to reform it caught on, and attempts at what was obviously going to be a long process began seriously. Now the momentum has gone out of that process; it is a victim of the society's need for scapegoats. Paradoxically, the educational institutions alone contain the potential for developing more positive solutions to the resentments and cynicism which affect the larger society. In that sense the counterrevolution will have more serious effects on education than on other areas of the society.

Yet, as the counterrevolution was produced by the needs of the society, educational change cannot come until there is a return to a sense of movement in the larger political world. Watergate means the death of Nixon's domestic pacification program. Whether it means that the Left will revive remains to be seen, but revive it must if this country is ever again to consider education as part of its mission. □

'WE HAVE TO USE PERON'

Argentina Joins the Third World

HANS KONING

Buenos Aires

Those old enough to remember him as President of Argentina might have been somewhat bewildered by the return, as a champion of the Argentine Left, of the self-same Juan Domingo Perón who had departed an overthrown "Fascist dictator." And they may wonder how he could have been remembered during an eighteen-year exile and given his name to what has become an important progressive movement in Latin America.

My immediate reaction is, first, that Perón was less a dictator than any President his country has had in this century (in 1945, and again in 1951, he was elected by large majorities and without ballot-box mischief) and, second, that he owed the "Facist" or "Nazi" label in considerable measure to our State Department and a section of our press. If it had all happened five years later, they would probably have called him a Red; just after World War II, "Fascist" was still the most useful epithet to fling at politicians who showed themselves less than enthusiastic about free enterprise. It was assuredly not Perón's fascism that led the military and the oligarchy to the coup of 1955 that ousted him.

Not long before the recent elections shook off the dead hand of the military on Argentina, I talked to many people in Buenos Aires and in Córdoba, Argentina's second city, about politics, economics, guerrilla activities and police repression (which included widespread torture). Fragments from some of those conversations may fill in some details of the vague phenomenon of Peronism.

I record first parts of conversations with Juan-Carlos Algañaraz, a friend and the editor of the most serious daily in Buenos Aires, *Opinion,* a paper that hopes one day to become *Le Monde* of Latin America. Juan-Carlos is a cheerful man in his early 30s, son of an upper-middle-class (almost oligarchic) banker. As a law student, he took a part-time job to be independent of his father and then dropped out of the university and went into journalism.

"When I was in high school, I became a political animal," Juan-Carlos told me, "and I've been to every public political event since. I stood in the square when Perón came out on the palace balcony to say that if his enemies killed Peronists, he'd avenge them at a rate of five to one. I was scared. That was in 1955, when they were out to get him.

"In 1958, Frondizi had started what he called 'the last great battle the middle class must fight.' Against clerical education. I was a student and I threw myself into that.

Hans Koning, the pen name of the Dutch-born New York writer Hans Koningsberger, is the author of The Almost World *(Dial Press).*

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Then, one day, I realized it was a phony issue; he was just distracting us while selling the country bit by bit abroad. And I quit. Then I had to do a year in the army. Then I got married. And became a Peronist."

"Which meant at that time—in three words?"

"Four words. Populism, socialism, Third World. I understood now what had happened, what I had seen before through my father's eyes."

"What had happened?"

"You know that Perón was made Minister of Labor in 1944, and that when he became too popular, the military government jailed him. Then something occurred in this country—the following day, the people took to the street. Not just militants, not just one party. The people. They came from everywhere. The generals raised the bridge at La Boca but the people rowed across. There were a million of them in Plaza Mayo. The generals had to release Perón.

"On that day, October 17, Argentina became a mass society. With Perón, we shed our European illusions and became Latin Americans."

"It took you personally a while longer."

"I was a boy in 1955. The upper-middle class hated Perón, and the oligarchs hated him worse, although he didn't really attack them. Like Roosevelt in the United States. My parents hated him. And, after 1952, with Eva Perón's death, things went wrong. He was seen running around with groupie girls. A Freudian wish to be hated. He would still have had an electoral majority, the people would still have voted for him, but they didn't want to die for him any more. The Air Force bombarded the center of town."

"And he fled."

Juan-Carlos shrugged. "I don't think he is a military hero. But when he became President in 1946, our national income was split 55 per cent to capital, 45 per cent to labor. That is of course even worse than it sounds, if you think of the number to be fed from each slice of the pie. When he was overthrown, he had changed the figures around to 45 per cent for capital, 55 per cent for labor. If that is all he did, I think it was a lot. Now the division is back to where it was in 1945.

"His programs brought the people from the interior, the blackies as they're called, to the city. They were Argentinians and they outnumbered the first and second generation middle-class immigrants in Buenos Aires. This was new, too. Buenos Aires stopped for a while being the 'European,' almost alien, head of a rural, near-colonial, body. There was an Argentinization of the city.

"Of course, since 1955 things have gone from worse to worse. How could we have forgotten Perón, when he was succeeded by a string of so-called strong men whose strength consisted of selling industries and oil to foreign capital, while trying to impose on this rather sophisticated nation the morality and spiritual freedom of an illiterate country priest?"

I said, "I realize that 'Fascist' was the convenient label of the time to use against him, but he was really a Fascist in foreign affairs. He gave shelter to German war criminals."

"Most of Latin America did," Juan-Carlos answered. "We couldn't feel about Germany as you did. For us the struggle was to get out from under the British without exchanging them for the Americans. We didn't succeed by the way. The *Freie Presse*, the German paper here and as Nazi as ever, hates Perón, but the joke is that it is now strongly pro-American and pro-Nixon. I don't pretend that Perón was a liberal democrat. He came from the Grupo de Oficiales Unidos, a right-wing officers' lodge. I don't know how many Nazis came here, but Argentina let in half a million Jewish refugees."

"Before Perón?"

"Before and during. And all that stuff about Hitler landing here, living in Patagonia—that was a straight publicity job set up by the oligarchy. Some U.S. reporters swallowed it whole; no Argentinian believed it. But all that's not the point. The point is. . . ." he hesitated. "The point is, we don't want to be a little France or England any more. And surely not a little United States. We're not so agog about your marvelous institutions. We want to be part of a new period, something more moral, something Third World."

"And this is to come about through a 77-year-old ex-general?" I asked. "And what when he dies?"

"We have to go *through* Peronism again," Juan-Carlos said (I'd often hear that exact phrase repeated). "Peronism with Perón is a reality now. We shall see what happens later. He won't use us; we have to use him."

Argentina is possibly the one country that never recovered from the Great Depression. Until 1930, it had seemed to be among the most developed nations in the world. Right after New York and Chicago, Buenos Aires built the third American subway system. But it was a Potemkin city. The high world prices for the food that the city exported, and the low prices for the consumer goods it needed, turned the trick. Credits kept coming, because its governments gave absolute priority to the payment of foreign debts. It was a rural economy, but tightly bound to the free-trade City of London. When that system collapsed, the oligarchs couldn't think of anything but patchwork agreements that kept things, here and there, looking a bit the way they had looked before.

Perón was the first and only President who tried to get away from the religion of *laissez faire* that had served the oligarchy so well. After Perón, the open door to the overpowering capital of the West (mostly, the United States) produced a deformed development or even an *underdeveloping*, as the economist André Gunder Frank has called it. At one point, twenty-three foreign car manufacturers had established themselves in Argentina, while essential local enterprises were allowed to collapse. Even the meat industry became foreign-owned. ("Open my wallet, you'll find no pesos in it," an Argentine businessman once exclaimed to me, and with pride.)

"Our crisis," the Peronist economist who had outlined the above for me said, "is that we have become a slum with a big neon advertisement on the roof, selling things we don't make and don't need."

Another of my conversations was with a Left politician, Jorge Spilimbergo, one of the leaders of the Frente Izquierda Popular (FIP), the Left Popular Front. I met Spilimbergo, who bears an uncanny likeness to the British

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Ross

Juan Perón

actor Alistair Sim, and whose father was Argentina's most successful painter, in a decrepit café where we sat in a sea of wooden chairs, with friends of his coming and going all the time, shaking hands and sharing beers—a pure 19th-century anarchist stage setting. But the FIP, while it sympathizes with the "armed struggle" of the guerrillas against the army, was never an underground party. It tried to pull together all those forces that we now call the New Left. They excluded the Communists as being too far to the Right, calling them the *Izquierda Cipaya,* the Sepoy Left, an allusion to the Sepoy mercenaries in the old British Indian Army. For here, as in other Latin American countries, the Marxists are more often than not seen as the helpmates of the Establishment, as anti-revolutionaries.

The strongest impression from my evening with Spilimbergo and his friends was not of any precise plan or action, but of a mood, of the spiritual importance their own kind of Peronism had for them—an importance that hinged on its "Third Worldness." Spilimbergo's belief that Perón was the very first person to use the expression "Third World" may be wrong but the concept has solid roots in Argentine history. "Our Civil War never ended," Spilimbergo said to me. "That war" (virtually starting with nationhood in the 1820s) "has been a battle between Federalists and Unitarians; or—take your pick—of the countryside against the capital; of Gaucho Populist self-government against progressive capitalism; or in a famous phrase of our President, Domingo Sarmiento, of 'barbarism against civilization.' When the Gaucho Caudillo Gen. Juan Rosas was overthrown in 1852, it seemed as if the war had been won by the city, by liberal capitalism. After that came Sarmiento's Presidency to consolidate the new dispensation.

"Now, we want to go back to before Sarmiento. When he identified the countryside with barbarism, he attacked the Third World. The Gauchos were the Third World. Our people are still Third World. It is an old-new discovery, and we need Peronism to bring it into focus."

Earlier in my Buenos Aires stay, I had had a talk with José Rucci, head of the Confederacion General del Trabajo. Argentina is a unionized country ("which is why they can never pull a Brazil on us," Rucci said), and the unions are Peronist, though there is plenty of explosive material hidden in the schism between prosperous bosses and radical rank and file. Rucci, whose headquarters was virtually under army blockade when I visited him, had three portraits in his office: Perón, on a dappled horse; Eva Perón, radiant in a white dress; and that Gaucho General Rosas who lost his last battle in 1852.

Argentina romanticizes the Gaucho, in a manner reminiscent of U.S. Westerns, but the angle of Spilimbergo and Rucci was something different. They believed that Peronism would lead Argentina back to before those hundred years during which it seemed a prosperous and integral part of the Western world, back perhaps to that brief moment in its war of independence against Spain when plans were made to crown the last surviving descendant of an Inca as king of the new country. They saw the Gauchos neither as Sarmiento's "barbarians" nor as romantic relics, but as an exploited Third World within a newly capitalist Argentine state. "And in the same way," Spilimbergo said, "all of our country is now exploited Third World to the capitalist West, just as much so as the Indians of the Andes—and we will now finally face this." The FIP calls Argentina a "province in a nation not yet achieved—Latin America," and this idea, at the heart of its Peronism, marks an amazing change in the national myth. For a century, Argentina had precisely been the country where the Establishment and the hangers-on who emulated it prided themselves on their whiteness and on being part of the West as against the Indianized other nations of Latin America. It is a measure of the decline of Western prestige, of a loss of belief in what we for so long pretended to be our values.

It wasn't fortuitous that the third portrait in Rucci's office was of Eva Perón, known almost invariably as Evita, Perón's first wife who died in 1952 at the age of 33. Peronism often seems more a belief than a political platform, and Evita is its saint. In that same rather grim trade union headquarters, I listened to a long story of how her body, lying in state there, had refused to burn when the army broke in and tried to destroy it.

I do not think that is a weakness. In no country of Latin America (and perhaps in no country in the world) can Populism or socialism gain a foothold against the (nearly) all-powerful vested interests, unless there is a

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man or a name or a mystique to hold onto, to unite the myriad theories and ideas of the ever divisive Left. In Argentina, too, I heard the old joke: "If you tell the leaders of a leftist party to form a firing squad, they make a circle."

Again and again on walks past the vast Roman Temple-style building in downtown Buenos Aires, now part of the university, my companion of the moment would stop and explain to me that it had once housed Evita's foundation, her social ministry. "You must understand," Juan-Carlos had said to me, "that she designed it herself. To her, a peasant's daughter, it must have seemed the ultimate glory, a temple where the religion of the poor triumphed over the religion of the rich. My mother always said how vulgar it was. Maybe, but in the original sense of the word—*vulgaris,* of the people."

I attended a mass for Eva Perón on the twentieth anniversary of her death. It hadn't been advertised, for this was *before,* when General Lanusse had banned all public manifestations of Peronism or in fact any other ism but militarism. Yet the cathedral of Nuestra Señora de Nueva Pompeya, was crowded. Crowded with all sorts of people: ladies in fur coats, workmen in imitation leather jackets. The priest, a heavy, bald man with a white beard, didn't mumble but spoke every word of the service as if he were addressing a meeting (as he was). I thought there was something very moving in his use of a first name only, in his "may Eva be forgiven for her sins." Many were crying.

When we came outside, the street was packed with those who had been unable to get in. Darkness had fallen and everywhere in the crowd torches were held, and banners in the national colors, blue and white. And as if this were Cuba of ten years ago, as if the Peróns had lived and died as guerrillas, signs proclaimed, "Eva lives," and "Perón or Death."

It was rush hour, and the heavy automobile traffic of the capital was stuck. Cops blew whistles, and the commuting businessmen blew their horns, but the crowd with their torches did not budge. □

LETTERS *(Continued from page 2)*

any suit in Atlanta, and its appraisals are currently being used there as a basis for assessments. It is true that a court did delay their use for one year in an action brought against the Board of Assessors; CLT was not involved in the action. . . .

He states that CLT considers it common practice to use inexperienced college students to make on-site assessments. . . . All mass valuation firms employ relatively inexperienced, but appropriately trained personnel as "listers" to record physical facts and measurements relative to simple properties. However, these listers do not make appraisals or *any* value conclusions. . . . *William L. Gunlock, President*
Cole-Layer-Trumble Co.

Washington, D.C.

DEAR SIRS: The Tax Reform Research Group first studied the mass appraisal firm of Cole-Layer-Trumble last November in Westmoreland County, Pa. Since that time we have received complaints about CLT's work across the country from Delaware to the state of Washington. These complaints have come from public officials as well as taxpayers. It is from this overview that we will be glad to respond to Mr. Gunlock's letter. . . .

CLT would have readers believe that two lawsuits in Nashville, Tenn., vindicated CLT. This is not true. The first suit was filed in federal court, and counts were dismissed (excepting antitrust aspects) on *jurisdictional* grounds. . . .

CLT's distortion of the second suit is also unacceptable. There was absolutely no vindication of CLT in the judge's decision. Quite simply, *the judge ruled CLT's rural appraisals invalid!* No amount of rhetoric from Mr. Gunlock can alter this fact. Second, this was only the preliminary hearing—not the final hearing as implied by CLT. The judge did, in fact, rule that to find conflict of interest would require him to operate on speculation and surmise . . . *based on the information available.* He then went on to rule that lawyers should resort to discovery procedures between this preliminary hearing and the final hearing to gather additional evidence.

Other developments raise new conflict-of-interest issues. In Montgomery County, Ohio, a reporter uncovered that officers of CLT were involved in real estate speculation on the side. John D. Cole, Mr. Gunlock, Ralph Bare (all past or present officers of CLT), and Donald Volz (friend of Mr. Gunlock) and Robert Spayd (CLT lawyer) own some of the most valuable property in the county under the name of Colgun Investments, while their corporation is appraising the same property for the purpose of taxing it. . . .

CLT claims charges in these states have been refuted in detail. They neglect to say who refuted them, or how and where they were refuted. Public charges certainly have not been refuted in Westmoreland County, Pa., either in the courts (which have yet to hear the suit) or in the minds of some eighteen separate taxpayers' groups. . . . Nor is CLT vindicated in the report of the county District Attorney and the county Controller who found that CLT "copied old records"; "used nonprofessional employees who lacked training"; "used wrong assessment formulas" and "failed to inspect property. . . ." CLT fares no better in Delaware.

The issue in Atlanta, as CLT knows, is not whether CLT was party to a lawsuit. After they finish their contract and leave, taxpayers *can't* sue them directly. (This allows CLT to have a "hit and run" effect on the areas they appraise—an effect we have strongly criticized.) The suits are thus aimed at work performed by CLT, although the county becomes the party actually sued. . . .

Perhaps the best comment on personal qualification comes from one of CLT's own employees who testified in a 1971 suit against CLT in Fort Wayne, Ind.:

> The first day I went to work for the company we went out in the field. . . . The training I received . . . was very lax and inexperienced. . . . The houses that were measured on this assignment, I feel, were measured very improperly and poorly. . . . I listed and measured homes for a period of approximately 4 months. Throughout this period I was constantly pressured for more production . . . the normal production asked from each employee was 25 houses a day.
>
> Mr. Kline [CLT supervisor] would often come out to the field and offer a $10.00 a week raise if you could get the production up above 40 houses a day. . . . I know of very few homes that were entered to see what type of shape the house was in on the inside to come up with an accurate appraisal.

Documentation indicates serious questions about both the nature of CLT's corporate structure and the quality of its work. Gruenstein's article rests solidly on that documentation. *Barry Greever, Tax Reform Research Group*

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BOOKS & THE ARTS

Doomed to Inequality?

GENETICS AND EDUCATION. *By Arthur R. Jensen. Harper & Row. 378 pp. $10.*

GERALD CHASIN

In the winter of 1969 Arthur Jensen published an article in the *Harvard Education Review* which approached monographic proportions in length. It was the longest article ever to appear in that journal and stirred up one of the most heated controversies in the social sciences. In it Jensen claimed to have amassed proof that the average difference between blacks and whites of 15 points in intelligence test scores is due to differential genetic inheritance in the two races. In other words, the 15-point deficit which blacks show in comparison to whites is due to their genetic inferiority to whites. This thesis immediately provoked a barrage of protests and technical refutations. The *Harvard Education Review* refused to print it without including a series of critical articles, and followed in its next issue with another set of refutations. The volume which Jensen has now put out consists of his original *Harvard Education Review* article along with three other pieces, two having to do with the inheritance of intelligence, and the other dealing with mental retardation. All of these papers have been published elsewhere in easily obtainable sources. The only new writing which this volume contains is a lengthy 67-page preface in which the author attempts to make his position clear and to explain to the public that he has been unfairly treated by both professional and nonprofessional audiences.

In his preface Jensen claims that the protests and criticisms his article drew were in large part politically and ideologically motivated, rather than being objective scientific statements. The author portrays himself as a sober, rational and diligent scientist who has always been fully committed to the canons of free scientific inquiry. His opponents, by contrast, have been biased in not accepting the scientific proof he offered in an open-minded manner and have been swayed by their social values, not by critical reasoning. Jensen also complains of having been thoroughly harassed, being the object of large amounts of hate mail, threatening telephone calls and intrusions into his lectures. He accuses the press of misinforming the public about his views and of casting him in the role of villain. Jensen reports that he has been demonstrated against, been forced to lecture in secret, and has required the company of plainclothes men for personal protection around the Berkeley campus, all as a consequence of his honesty and forthrightness in stating the truth about an unpopular issue.

According to Jensen, not only have students and the press treated him in a grossly unfair way, but his professional colleagues and the professional establishment have also reacted toward him in an unethical and narrow-minded fashion. He claims that many of his academic opponents have criticized his article without first having read it, and that professional journals barred the publication of further articles on the genetic inheritance of intelligence. Jensen also asserts that the *Harvard Education Review*, which at first had solicited his article, later disclaimed having done so once the protests began. On the whole, Jensen feels that the articles published in the journal did not amount to serious criticism and were full of *ad hominem* attacks. He says that these critiques also contain a large number of theoretical, factual and methodological errors which he has not been given the opportunity to refute. Because of the attitude of the *Harvard Education Review* and the professional associations, the author maintains, the principle of free discussion and freedom of inquiry has suffered a grave setback.

The preface to this volume contains many testimonials to the validity and significance of the author's ideas: statements by professional colleagues supporting him—especially geneticists; college courses and seminars in education, psychology and genetics which have discussed his article are mentioned. And Jensen is still convinced, on the basis of "massive evidence," that the educational aptitudes and needs of the majority of white and black children are sufficiently different that a diversity of educational aims and approaches is necessary and best for both groups, and particularly the more disadvantaged one. The effort we have put into equalizing scholastic performance has been misdirected, he believes. In his view more effort should be put into constructively diversifying schools. Since, as he claims to have shown, blacks have difficulty with conceptual learning and do better at rote learning, the schools should somehow reflect this racial difference. What this would mean, in effect, is that blacks would be sent to trade schools while whites would go into academic programs leading to better paid and more prestigious jobs.

Aside from the preface, the heart of the present volume is Jensen's original *Harvard Education Review* article, "How Much Can We Boost IQ and Scholastic Achievements?" In this paper Jensen begins with the assertion that compensatory education programs have failed to produce any significant and lasting effects, though they have been practiced on a large scale in many cities for years. The reason for this is that genetic factors place a ceiling on scholastic achievement. Jensen believes that intelligence tests are valid measures of important mental abilities and provide an index of the ability to adapt to our system of formal education, and to the occupational system with which it is linked. In one place he talks of intelligence tests as measuring the ability to adapt to Western civilization.

In Jensen's view, though genetic factors have been belittled by environmentalists, they are nevertheless significant. Citing the results of selective breeding with animals, the author discusses what he feels are the likely genetic results of assortive mating—the tendency for individuals to marry those of like intellectual level. Because of assortive mating a population is bred whose various groups grow more and more differentiated in respect to mental ability. Assortive mating leads to a dysgenic trend in the black population. Since the lower classes are less intelligent (in the black as well as the white population), and are likely to transmit their lack of mental ability to their offspring through the inferior genes they carry, a higher birth rate in the lower classes of the black population would tend to lower the overall intelligence of blacks. Jensen feels that research

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should be directed to the educational and social implications of these trends, and implies that current welfare policies which are unaided by "eugenic foresight" could lead to the "genetic enslavement" of a substantial segment of our black population. This would, in the author's view, constitute a "grave injustice" to the American Negro.

A major portion of Jensen's original article is concerned with the degree to which intelligence is inherited. The evidence consists of studies of individuals who are related in varying degrees, and who could hence be presumed to be, in varying degrees, genetically similar. From these studies, especially studies of identical twins who have been reared apart (and who have thus been subjected to different environmental influences), Jensen concludes that the heritability of intelligence is high; approximately 0.80 of one's intelligence is inherited, the rest is produced by the effects of environment, and by a combination of environmental and genetic effects. Accordingly, the environment has a small effect on intelligence; at most it has a "threshold effect." That is, too poor an environment can prevent a person from achieving the level of intelligence that he has been genetically endowed with, but any further improvement in environmental stimulation has no additional effect on intelligence. Black children, according to the author, are not reared in such extreme cultural deprivation that they can be said to be below the threshold level, and their lack of ability must be attributed to genetic and not environmental causes.

Strictly environmental explanations of black-white differences are extremely implausible to Jensen—they are unscientific and have an *ad hoc* quality. In his estimation, blacks are simply genetically inferior to whites. Since races are breeding populations who, through geographic and social isolation for many generations have come to differ in their gene distribution, Jensen feels it is not unreasonable to conclude that the average difference of 15 IQ points between blacks and whites is due to differences in genetic inheritance.

To the uninitiated, Jensen's writing appears to glisten with technical expertise. Until publication of his *Harvard Education Review* article, the author would probably have been recognized as one of the leading men in the field of learning and intelligence testing. But Jensen, in his preface, has drawn an inaccurate picture of his scientific integrity and of his alleged mistreatment. The mass media have been highly favorable in their response, rather than negative, as the author claims. Within two weeks of the *Harvard Education Review* article, *U.S. News & World Report* published a feature story about Jensen and his work; it made headlines in the Virginia papers; it was written up in *Saturday Review*; and *The New York Times Magazine* published a highly favorable account in the summer of 1969. A very recent example of a positive comment in the press is the story about the present volume that appeared in *Newsweek* last March.

In addition, a Congressman has read Jensen's article into the *Congressional Record* and segregationists have cited it in court. Jensen's professional colleagues generally have found it unconvincing, however, despite its liberal use of experimental and statistical data. Within the scientific community, accordingly, Jensen is not accepted, and there is little danger within that community of the further spread of a false and socially pernicious doctrine. But outside the boundaries of the campus and the lecture hall the danger is great. In giving favorable publicity to Jensen's views, the popular press has been responsible for spreading a potentially harmful and dangerous theory that is directly akin to the racism, social Darwinism and eugenics thinking of the 19th century, and which was believed—until Jensen published his *Harvard Education Review* article—to have been completely discredited.

Professional observers have al-

MARSH, HAWK

Diseased or unwanted
trees, cut into pieces, thrown
away here, damp and soft in the sun, rotting and half-
covered with sand, burst truck
tires, abandoned, bottles and cans hit
with rocks or bullets, a mass grave,
someone made it, it spreads on the
land like a bruise and we stand on it, vantage
point, looking out over the marsh.

Expanse of green
reeds, patches of water, shapes
just out of reach of the eyes,
the wind moves, moves it and it
eludes us, it is full
daylight. From the places
we can't see the guttural swamp voices
impenetrable, not human,
utter their one-note
syllables, boring and
significant as oracles and quickly over.

It will not answer, it will not
answer, though we hit
it with rocks, there is a splash, the wind
covers it over; but
intrusion is not what we want,

we want it to open, the marsh rushes
to bend aside, the water
to accept us, it is only
revelation, simple as the hawk
which lifts up now against
the sun and into
our eyes, wingspread and sharp call
filling the head / sky, this,

to immerse, to have it slide
through us, disappearance
of the skin, this is what we are looking for,
the way in.

Margaret Atwood

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most universally found Jensen's technical argument unacceptable. Critics have pointed out that observed differences of 15 IQ points between blacks and whites could easily be consistent with an identical distribution of genes in the two races. Others have stated that the evidence supporting the theory that intelligence is largely inherited is itself weak, being based on a limited number of studies of identical twins who have been reared apart. Such studies have been done only on American and Northern European populations and have used small samples which have yielded statistically unreliable results. There is nothing whatsoever known at present about the degree to which intelligence in nonwhite populations is inherited, and what is known about white populations is dubious.

Most psychologists consider the heritability of intelligence as being far lower than Jensen's estimate. Critics also point out that studies of the similarity of intelligence of identical twins, from which the degree of heritability of intelligence is deduced, contain many methodological difficulties and that environmental rather than genetic factors could easily explain their results. For example, it has been mentioned that the separate environments in which identical twins have been reared are often not that different. One of the classic studies which Jensen relies heavily upon, done in 1937, was reanalyzed and shown to produce conclusions which do not support the genetic thesis. In the new analysis it was found that those twin pairs reared in similar environments had similar IQ test scores, while those reared in dissimilar environments had quite different IQ test scores. Still other critics have pointed out that even if the heritability of intelligence were high within a population, that would still not permit the conclusion that differences in the two groups were due to genetic factors. They may be, or they may not be. There is simply no evidence for it. In the case of the mean IQ difference between blacks and whites, there is basically no good reason to believe that genetic factors are responsible; Jensen has not proved this and he cannot do so because the data simply do not support the conclusion.

More than one of the experts commenting on Jensen's work have claimed that he has used selective and sometimes inappropriate sources, that he offers no new information but presents only a reorganization of old data, and that there are substantial distortions in his summaries of research. Many of the sources which Jensen cites as sound have been criticized for being methodologically inadequate, such as the Coleman Report. Audrey Shuey, whose book, *The Testing of Negro Intelligence*, Jensen leans upon heavily, is a known exponent of white intellectual superiority. Jensen's claims to scientific objectivity are therefore suspect.

In attacking Jensen, anthropologists have argued that race is an inappropriate concept, particularly when applied to man. The African populations from which black Americans are descended, rather than being homogeneous, are diverse both ethnically and genetically. Geneticists, in addition, have pointed out that it is a misleading oversimplification to regard the present-day black population in the United States as genetically homogeneous itself.

Still other critics have mentioned that compensatory education has not really failed, for it has not really been tried; it has suffered from a paucity of funding which has not allowed the application of continuous, planned efforts. A further error which Jensen makes is in equating social classes across the racial and caste barrier (a black man is treated differently from a white man in our society no matter how much he earns), and that the attempt to control statistically the effects of social class on the IQ scores of blacks is ill founded.

Given the evidence which Jensen produces, his conclusions are unreasonable. When one considers the culture-biased nature of intelligence tests, which have been constructed to apply to a white, middle-class population, the additional negative effects of fear and unfamiliarity with the testing situation, of being taught by members of another race and of a higher social class, of the ghetto environment, and of discrimination at all social levels, it is ridiculous to argue that a mean difference in intelligence-test scores of 15 points should be attributed to differential genetic inheritance. □

Scarlett Lives—in Washington

THE LAST OF THE SOUTHERN GIRLS. *By Willie Morris. Alfred A. Knopf. 287 pp. $6.95.*

SARA SANBORN

I know a professor of literature, New York bred, who swears all Southerners can write. Southerners certainly have a head start as heirs to a rich and distinctive idiom, backed by a sense of place, a social experience and a body of myth inherently dramatic. Willie Morris has not forgotten a word of his native tongue during his long sojourn in the North; rather he seems to have husbanded his Southern language and habits of mind as a patrimony that, wisely cultivated, promises abundance all his life. The center of this novel is a long chapter that unfolds the heroine's girlhood in a small town by the Mississippi. Through a wealth of detail sounds the fine ring of the genuine. Here and there are touches of authenticity so light that an untuned ear may miss them, but these notes constitute Morris' credentials. The whole section must have given him great pleasure in the writing.

What Morris has gained as an expatriate is a perspective on the South free of both the simplicities that Southerners like to believe about themselves and the ones that Northerners cherish about their separated brethren. Both credos are so much material to him; he has the capacity to hold all of it and more in ironic suspension. A Southern Congressman with ambitions, sent to Washington largely by the black vote, goes to practice his folksy style in the Jeb Stuart Bar and Grill. "Why, the white Southrons and the coloreds are the oldest minorities in this country. . . . Deep down we love each other," he tells his small-town audience.

> "Somebody once told me in the North they love the coloreds as a race and treat them bad as persons," a man in a broad straw hat at the bar shouted.
> "Sir, you're right," Jack Winter replied to this fustian old bromide. "That's a profound observation."

As the final flowering of Southern womanhood, Morris gives us Carol Hollywell, née Templeton, debutante from De Soto Point, Ark. and Ole Miss, who bears no resemblance to the sweet-talking honey-child with a puff of pink tulle for a brain, so beloved of Hollywood and superior Yankee men. She does resemble Scarlett O'Hara in practically every regard: she is beautiful, charming and high-spirited, willful, witty and vain, and altogether enchanted by her own magic. She envies "the splendid Scarlett" for having lived during "a magnificent calamity so commensurate with her gifts," and she feels a serious sense of purpose and obligation toward her own gifts. Like

Sara Sanborn's reviews and articles have appeared in Commentary *and* Boston Review of the Arts.

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THE CIRCLE

Snakefish, anguilla,
spend greater part of life in ponds and streams
but "on the approach of sexual maturity"
pass down to the sea:

under the west Atlantic, halfway
between Bermuda and the Leeward Isles
at 3000 fathoms' depth
spawn, then die.

From the eggs leptocephali—
tiny, transparent, willow-leaf shaped—
emerge and grow, at last migrate
to the upper water layers
and swim back to America.
It takes two years.

Three years old, they change to elvers,
ascend the rivers in the spring
and make their way inland in millions
wriggling across damp fields at night
into the smaller lakes and streams.

Here they live ten years or twenty,
their growth "determined by the food supply"
until the inner urge compels them
down, once more, into the sea.

Frederick Morgan

the princess in the fairy tale, she has been showered at birth with blessings. Washington is the city which promises scope worthy of her endowment.

She quickly learns an important secret about the capital in the fading Eisenhower years: *"They were starved for a beautiful irreverent woman."* Born to fill this role, she goes by easy, seemingly inevitable, steps from the office of an obscure, corn-pone Congressman to family dinners at the White House, winning her way with exquisite elegance and an irresistible combination of flattery and audacity. Carol is an artist, her lifework the perfection of herself as a fascinating woman. Morris details lovingly all of her tricks and traps, and also her self-deceptions, blind spots, and little meannesses. She is a full and developing character, and his handling of the materials of feminine personality is knowing and confident.

Nonetheless, we find ourselves asking, who is Carol Hollywell, what is she, that our attention is bidden at such length to her doings? The answer, I suppose, lies in the title: we are meant to take this novel as an elegy for a blend of person and place that we will not see again. The bulldozers are getting the plantation houses and piney woods: "Coming Soon! BOUTIQUE PLAZA! . . . Largest W. T. Grant's in the South." After ten years of chic dinners and clever talks in Georgetown, Carol goes campaigning with the young Congressman, her lover, who is bent on becoming Senator from a state that could be Georgia. Much of her time is spent in shopping centers, "one like the other in its barren expanse of concrete and asphalt, and the ubiquitous national chains."

> The crowds they tried to attract there were the most fickle she had seen, as arbitrary as they seemed to be placeless, victims of that catastrophic wanderlust of this generation of Americans, a new breed to be won, by turns hearty, sullen, and malicious.

There are still placid small cities with their weekly luncheons of complacent businessmen, and dying country towns where politics is strictly a man's business and deals are made in the feed and seed store. But from these backwaters, too, Carol emerges shaken by hatred and hecklers; "the rawness and desperation had stunned her." She wonders if she has become "too fine" for the rough-and-tumble of the political South, if she has "lost something of her own inheritance." At last she chooses the well-polished manners and well-turned phrases of Washington.

It is not clear whether Carol's inability to go home again is supposed to reflect a change in her or a change in the country. Perhaps we are to assume that Georgetown has overcultivated her into a bloom fit only for the hothouse, or perhaps she has spent all the vitality she soaked up from her native soil in a decade of meaningless conquests. I find it hard to believe that Carol Hollywell was ever a daughter of the Mississippi. The chapter that creates her De Soto Point girlhood is a pleasure to sense and spirit, but only the childish showing-off seems to have much to do with the woman we meet later. Her earthy talk, her store of folk proverbs, her knowledge of hunting and fishing, her memories of natural disaster and death by the river all seem part of her Washington bag of tricks—accessories that she displays as a lesser woman might parade a Southern accent. Whether this ambiguity reflects depth in the characterization or shallowness in the writing I cannot say.

Or perhaps we are to assume that Carol has been corrupted by ambition and the craving for power. That is what the book jacket would have us believe. Unfortunately, there is little warrant in the novel for such a pretentious interpretation. It is true that Carol decides marriage is "not enough"; she wants a wider stage and a bigger audience for her long-running star turn. But she also seems literally to have been scared out of her Congressman's territory and back to Washington by the endemic violence of American life, or some such fashionable bogy.

> The fear that had grown in her since her arrival must have spoken much in that moment about America. She had not expected to see how fragile it all was, its rampant tensions and antagonisms.

I'm afraid that I don't see how fragile it all is, at least not in any way I haven't seen before. What I do see is Morris letting himself off too lightly. Carol Hollywell's character and her personal worlds in Washington and Arkansas are fully evoked, but the larger issues are only invoked. The novel opens with a ponderous and faintly pompous analysis of the Washington social scene in the 1960s, a time, we are told, when *"They seemed not to understand the consequences of words."* Thereafter, a number of stock social references and a few characters to illustrate them are tagged lightly in passing, to run up the score by providing a larger context and meaning for Carol's career. If the reader is of a meditative turn of mind, this stratagem may work. A reference to women's liberation, and the introduction as Carol's friends of a strenuous career woman on the one hand, and a devoted wife on the other, may remind us that the golden girl who lives for admiration is going rapidly out of

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tyle. It may provoke us to reflect that Carol, the accomplished flirt who is indifferent to sex through most of her youth, is exactly the image borne in mind by men who call plaintively for "a woman who enjoys being a *woman*," and further that the fascinating woman as a type can flourish only in a society where most women are felt to be dull and nousey. But such a train of thought will be the reader's gift to the novel, not vice versa.

Morris has come too late with too little. Authentic and feeling re-creations of the South and its people can still please us, but they no longer seem meaningful in themselves. The best of the Southern writers have always used the abundant givens of their land to carry larger themes, and popular writers and journalists have exploited the appeal of sheer Southernness to its limits. The outsider undercutting or winning over sophisticated society has entranced fiction readers for 200 years, but now we expect novelists to respond to that tradition, not merely to continue it. A Washington locale has built-in excitement, but the suggestion of *roman à clef*, whether well-grounded or not, detracts from any serious purpose by encouraging the reader to play pin the tail on the donkey. This novel by any other name would be as readable—and almost as likely to be shot into best-sellerdom by homesick Southerners and ambitious sorority girls—but could not pretend to much social or moral import.

In his first novel Morris has done what he can do well, easily. The riverside town, the Southern characters, the down-home speech and anecdotes are charming, and they are child's play to an author of Morris' talents and background. Perhaps this book is a way station between journalism and fiction, with greater explorations to come. Certainly Morris can *write*—the question is, to what purpose? □

Coming Out Fighting

HOMOSEXUAL: Oppression and Liberation. *By Dennis Altman. Outerbridge and Dienstfrey. 227 pp. $6.95.*

OUT OF THE CLOSETS: Voices of Gay Liberation. *Edited by Karla Jay and Allen Young. Douglas Book Corp. 403 pp. $7.95.*

JONATHAN KATZ

In June 1969, angry homosexuals for the first time actively resisted raiding police at New York City's Stonewall Inn, inaugurating a militant gay liberation movement which is confronting America with the fact that homosexuals are an oppressed group, along with blacks, women, old people, young people, tenants, migrant farm workers, American Indians, et al. We homosexuals who in the past had internalized feelings of shame and self-hatred because society condemns us as sick and sinful are now directing our anger outward, and finding a new sense of self in the process.

Dennis Altman's book is a thoughtful, thought-provoking, comprehensive analysis of the important issues raised by the gay liberation struggle. Altman, an Australian visitor to the United States, a political scientist, and a homosexual, has both the necessary distance from and empathy with his subject. His book contains a mixture of social analysis and personal testimony, exploring the interrelations between the most private and most public aspects of our "sexual politics."

Altman describes the various forms of homosexual oppression: political legislation and police harassment, psychiatric hostility and religious condemnation, economic discrimination and cultural contempt and abuse, beatings, rapes, murders, parental disownment, the mockery of the entertainment world, and not least, the toleration of liberals. It is still necessary to list both the subtle and blatant forms of homosexual oppression. No one any longer disputes the fact of black oppression. For those who still doubt the existence of anti-homosexual bigotry, Altman relates the suggestion of a young woman: "Wear a button saying 'I am a lesbian' and watch how people react."

Altman explains that an important step in the gay liberation process involves some public act of "coming out," because a major characteristic of homosexual oppression has been the need to pass, to be invisible. Being homosexual has been, both literally and metaphorically, "unspeakable." Altman says the movement has made homosexuals aware that their pain, previously accepted as fate, is actually socially conditioned, and changeable. This crucial insight has had a revolutionary effect on the minds of those of us who are involved in gay liberation. The antithetical view of this readily genocidal society would "wish homosexuality off the face of the earth," as Joseph Epstein, writing in *Harper's* recently, put it. America is indeed haunted by homosexuality. Its response of horror, loathing or nervous laughter shows it must surely be deeply threatened.

Altman makes a good start at suggesting why gay liberation is so threatening, challenging as it does many prevailing attitudes toward the family, marriage, procreation, sexuality, the law, masculinity and femininity, male supremacy, work and play, moneymaking and hedonism. He analyzes the relation of gay to black and women's liberation, to the youth movement and "counter-culture," to sexual liberation, human liberation and radical change. He is correct, I think, in believing that gay liberation, despite its current, important civil libertarian thrust toward law reform, transcends liberal reformism. He doubts, as I do, whether this society, without profound revolutionary change, can ever do more than, at best, tolerate its homosexuals.

Although Altman does speak of the need for basic change in social structure and consciousness, he consistently emphasizes that "The real oppression we [homosexuals] suffer is psychological," and that the source of this suffering is heterosexual "attitudes." It follows that gay liberation "involves essentially an alteration in individual consciousness." In Altman's presentation, the main task of gay liberation becomes therapeutic, that of undoing the negative psychic conditioning of homosexuals, and creating a new, positive, homosexual identity. "Gay Power," Altman feels, is not a very meaningful slogan. "Gay Pride" is more to his liking. But for gays to cease organizing and actively seek *power* over their own lives is, it seems to me, to remain alone, resigned, and incapable of combatting any of the oppressive institutions and individuals. It is more than "attitudes" that must change. Altman's psychological emphasis is one with which I must respectfully disagree.

Altman approvingly suggests that in a sexually liberated society bisexuality would be the accepted norm; Paul Goodman, Gore Vidal, and more recently, Martin Duberman have upheld this ideal. I must admit I find that this polymorphous utopia is often more an expression of unresolved negative feelings about homosexuality, a lingering, wistful, pathetic wish to be "straight," than an authentic belief in bisexuality. At this stage of our history, at least, the burden of the bisexual ideal falls on homosexuals. What is oppressive now, I think, is

Jonathan Katz is the author of Coming Out!, *a documentary play about gay life and liberation in the United States, currently being produced in New York City. He is at present researching a book on homosexual American history.*

GAY LIBERATION

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that this society pushes heterosexuality exclusively, disregarding all other personal feelings and needs. It is conceivable that bisexuality could also become as oppressive a norm as heterosexuality is now. My own vision of a sexually liberated society is one in which there is a truly accepted diversity, in which exclusive homosexuality is as legitimate an orientation as any other.

Meanwhile, unlike Altman, I do not view consciousness-raising as separate from political organizing and active, angry demonstrations aimed at particular anti-homosexual institutions. Deep feelings and serious questions of identity cannot be resolved simply by sitting around talking, although this has been for me and for others one important part of the liberation process. Consciousness-raising sessions and political activity, hand in hand, are the most successful "therapy."

Out of the Closets: Voices of Gay Liberation, edited by Karla Jay and Allen Young (not to be confused with another book of similar title) is a collection of many of the most important writings to come out of the gay liberation movement in the last three years. This anthology includes poetry, personal testimony, and social analysis covering a wide range of movement experience. These are voices from the battlefield, conveying both the ideas and spirit of the gay struggle, as it is being fought, by those who are fighting it.

Particularly striking are some of the documents of lesbian liberation: a woman's description of her harrowing encounter with a bigoted male doctor (in "Lesbians and the Health Care System"), and a classic essay, "The Woman-Identified Woman," both by a group of radical lesbians. This evidence of lesbians asserting their autonomy, and redefining their relation to themselves and others, women and men, homosexual and heterosexual, makes most concrete the double character of homosexual women's oppression and the struggle to overcome it. The very particularity and depth of these statements make them real and important for all of us.

Although the gay liberation movement needs no outside justification, it does have important implications for all Americans. Homosexuals are among those disaffected groups who, starting from their own particular, deeply felt experience of oppression, have begun to organize for social change and for control over their own lives. It is these resistance movements which seem to me to hold the hope for a more humane America. □

Why the Film Companies Paid

THE EXTORTIONISTS. *By Herbert Aller. Guild-Hartford. 189 pp. Paper $1.50.*

DANIEL BIEDERMAN

It all began in the Windy City. Here, Willie Bioff, a petty racketeer and former pimp, formed a partnership with George Browne, business agent for an impoverished stagehands' local affiliated with the dominant union in the motion picture and theatrical industries—the International Alliance of Theatrical and Stage Employees (IA). Between 1932 and 1941, their activities included bribery, extortion and illicit manipulation of union funds. They were rewarded with several million dollars in payoffs, money that came ultimately from two sources: studio workers' pay checks and the profits of corrupt movie moguls.

It was bribery when Paramount Pictures' gigantic Chicago theatre circuit paid Bioff and Browne $20,000 as no-strike insurance to prevent restoration of a 25 per cent wage cut suffered by IA stagehands. It was bribery when they received $90,000 from Paramount and Warner Brothers in exchange for permitting their Chicago theatres to employ one, instead of two, IA projectionists.

Bioff and Browne's sudden wealth and extravagant spending habits aroused the suspicions of members of the Chicago underworld, who demanded 50 per cent of their take and helped elect Browne president of IA in 1934. Fronting for the Chicago crime kingpin Frank Nitto, for Lucky Luciano, and for Lepke Buchalter, Bioff and Browne kept up their cozy relations with the movie magnates. Late in 1935, New York Projectionists' Local 306 threatened to blacken theatres unless a pay hike was forthcoming. In return for $150,000 paid by Loews, Inc. and RKO, Browne refused to sanction a strike and forced a 10 per cent decrease in pay on the local.

After these transactions were uncovered in 1941, film executives posed as helpless extortion victims. Isolating November 1935 as the time they were coerced into paying for peace on the labor front, the movie moguls ignored the deals they had made earlier and explained their subsequent conduct by the dramatic events of that month. It was at that time that Bioff and Browne pulled IA projectionists from theatre booths in the Midwest. The anticipated reaction from the presidents of the major movie companies followed—panic. Faced with dwindling box-office receipts and fixed production costs, industry leaders accepted IA demands.

By 1936, Bioff and Browne had worked out a formal arrangement: M-G-M, Paramount, Fox and Warner Brothers paid them $50,000 apiece, annually; RKO and Columbia were each expected to contribute $25,000. The threats made by the IA leaders caused these payments to be characterized later as extortion. But they spared the industry studio and theatre strikes. The failure of film executives to seek aid from federal and local law-enforcement agencies and the elaborate schemes they devised to conceal the payoffs and defraud the government, suggest they were not helpless, unwilling victims of extortionists.

Harry Cohn, the head of Columbia Pictures, never paid his yearly tribute despite a one-day strike at his studio, and he suffered no reprisals from IA. In contrast with Cohn's courageous conduct, most of the movie industry leaders apparently enjoyed cordial relations with the men who were supposedly shaking them down. Bioff was invited by Harry M. Warner to attend Yom Kippur services with Warner's son-in-law, the producer-director, Mervyn LeRoy. Warner also sent orchids and a bon voyage telegram when the Bioffs sailed to Rio de Janeiro in 1938. A grand tour of Europe followed, with Twentieth-Century Fox footing most of the Bioffs' bills. And Sidney Kent, Fox's president, praised IA leaders at their 1938 convention. Kent said he "felt very much at home" and the convention's band played, *Hail, Hail, the Gang's All Here.*

Nor could the industry take credit for the eventual exposure of the racketeers. That honor belonged to the columnists Arthur Ungar and Westbrook Pegler; a fearless and honest rival labor leader, Herbert K. Sorrell; Robert Montgomery, and other officers of the Screen Actors Guild; and brave dissidents within IA studio unions. Their combined efforts resulted in Browne and Bioff's being convicted of extortion in 1941. Joseph Schenck, a Fox executive, found guilty of income-tax evasion and perjury, was the film industry's fall guy. Bioff and Browne refused that role. Their prison sentences were commuted after they testified against their former partners in crime, in 1943. Bioff received his final

Daniel Biederman has taught film history at Hofstra University.

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payoff in Phoenix, Ariz. in 1955—a bomb attached to the starter of his car. A few years later, Browne died in obscurity.

The late Herbert Aller is uniquely qualified to tell this story. He was business agent of an IA cameramen's local for thirty-six years and many of his insights into the structure and leadership of the IA could only come from someone within that organization. Vividly contrasting the personalities and physical appearance of Browne and Bioff, he concludes that they constituted two halves of a criminal whole because their strengths and weaknesses were complementary. Bioff's association with Arizona Sen. Barry Goldwater and the psychology behind Bioff's circulation in criminal circles in the 1950s, despite a reputation as a stool pigeon, is clearly revealed. Aller also shrewdly appraises Browne's successor, the cautious, capable, current IA president, Richard F. Walsh, and the policy of exploiting interunion rivalry pursued by producer-labor czar, Pat Casey.

But Aller incorrectly asserts his book represents "my factual documentary eyewitness account." He was not present either at secret sessions between Bioff and Browne and their criminal confederates or at their private meetings with movie executives. Aller rarely reveals his sources directly, and it would be difficult for the reader to trace them on his own because the book lacks a bibliography and footnotes. He did tell this reviewer that he was unable to locate *the* basic source—the five-volume, 4,200-page transcript of the 1943 trial which he attended as a witness. His facts probably came from his memory of this proceeding and newspaper and magazine articles. Ironically, a copy of this transcript was in the law offices of California's former Attorney General, Robert W. Kenny, five minutes from Aller's home in Hollywood. Judge Kenny also had the stenographic minutes of the 1948 tax trial involving the estate of the mobster Frank Nitto.

Had Aller seen these sources he might not have named his book *The Extortionists*. He himself repeatedly suggests that bribery, not extortion, best characterizes the relations between the film industry and IA leaders. But he also argues that the opposite was true. He would have been less confused and uncertain if he had read the federal judge's findings in the 1948 Nitto case: "The payers knowingly and willingly paid over the funds . . . lent encouragement, and participated with full knowledge of the facts in the activities of Browne and the Nitto group. . . . And no effort was made to secure the assistance of law-enforcement authorities. . . ."

Aller also accepts at face value Browne's self-serving reports to IA conventions and does not give a balanced account of the conflict between his union and the American Society of Cinematography. The book's few errors in fact include these statements: Pat Casey was not aware of Johnny Rosselli's criminal affiliations when he put him on his payroll; Harry Cohn paid off Bioff and Browne before 1937; and film unions *unanimously* opposed Bioff's extradition to serve a prison sentence for pandering. (Herbert Sorrell's studio painters and the Screen Actors Guild favored extradition.)

Finally, Aller's book is not the readable autobiography and definitive popular history he envisioned, and his publisher has done little to make it so. Page after page contains trite remarks, irrelevant anecdotes, misspellings and ungrammatical sentences. The book has a sensational cover: the title, block-lettered in blood-red, is placed above a pistol pointed at prospective buyers. To attract film buffs, an inaccurate and unnecessary list of famous 1930s films has been compiled. And haphazard division of the book into twenty-four untitled chapters does not give coherence to the rambling, chronologically jumbled text. But these are defects that mar an otherwise interesting and illuminating account of a significant chapter in American film and labor history. □

FILMS

ROBERT HATCH

I was disappointed, depressed and somewhat irritated by *O Lucky Man!* Probably I was expecting too much—it is directed by Lindsay Anderson, who brought us *This Sporting Life* and *If . . .*, it stars Malcolm McDowell of *If . . .* and *A Clockwork Orange* (with Ralph Richardson contributing both a minor and a major part), and the advance word was that it dealt most rigorously with an important contemporary theme. However, I might have discounted those auguries by a good deal and still not felt that the damned thing had collapsed before my very eyes.

The theme, perhaps, is the major problem. It is that success, like happiness, is not a goal but a by-product of life, and I couldn't feel that a philosophical insight that much in the public domain required to be proved in a series of melodramatic episodes that spilled over into fantasy when the script was baffled for escape devices and that ground on for almost three hours.

To this dubious use of time and energy was added the decision that McDowell, in the character of Mick Travis, should play Everyman in modern dress, a part that required him to be innocent to the point of simple-mindedness. Just for an example, Travis happily rents his body for £130 to the patently mad director of a biological research center, without asking what experiments are on the agenda. In general, Travis will sign any document that is thrust beneath his nose, and in particular he sees nothing rash about jumping upon the roof of his car to gaze through binoculars into a super-secret military proving ground. Everyman is a personage greatly honored by time, but he is not effectively resurrected in a script that employs a kind of department store surrealist chic to excoriate current materialism. One gets very tired of Mick Travis' inability to look before he leaps.

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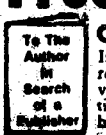

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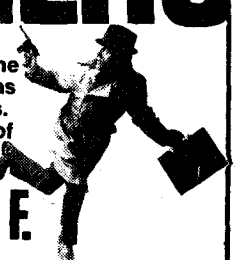

BERNARD F. CONNERS

"More twists and turns than a tangled wiretap, plus an electrifying suspense ending."
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Finally, the picture is burdened with a millstone of satire directed at the rapacity, hypocrisy, cruelty and stupidity of modern society. Anderson and his writer, David Sherwin, have nothing original to say about the evils of our time and they compensate for that lack by inventing grotesque, ludicrous and horrifying ways of saying it. The result is a very elaborate script, very expensively produced, about the self-evident truth that the world is not, and never has been, a safe place for ambitious half-wits. I'm sure it was not so intended, but this strikes me as a cop-out. The fact is that simpletons with ambition of the extreme sort here described are exceedingly rare. Parallels will no doubt be drawn with the likes of Vesco and Jeb Stuart Magruder, but they will be false. There is nothing simple-minded or innocent about that sort of drive for power. Such men may well lack an appreciation of history or an ability to figure odds, but they are far from trusting the benevolence of strangers.

What it comes down to is that *O Lucky Man!* aspires to be a serious denunciation of present evils but comes across as an entertainment based on the clichés of social criticism. It smells of opportunism, for, like its hero, it is exposed as being in pursuit, not of a goal but of miraculous success. Unlike its hero, it will probably achieve it.

The best thing in the picture is Alan Price, who wrote the score and who sings his own songs during ballad interludes, inserted in the manner of *The Threepenny Opera*. Price is possessed of the economy of real anger, which he conveys in a tone of mocking good humor that chills your blood. His jingles fatally undercut the ponderous machinery of the main script's pseudo-edifying parables.

Judging by the movies made from his novels of British life, L. P. Hartley is a writer obsessed by the tragic consequences of crossing class lines in hot amatory pursuit. First in *The Go Between* and now in *The Hireling* he broods over the torments suffered by strong and honorable men of humble birth who dare to love above their station. It is not a new theme in English letters, and the worst of it is that Mr. Hartley—again on the basis of the films—has nothing of his own to add to it.

In the case of *The Hireling*, Lady Franklin (Sarah Miles), recently released from a nursing home and still in shock from the sudden death of her brilliant husband, strikes up an equivocal friendship with her car-hire chauffeur (Robert Shaw), as a way of renewing contact with life. His name is Leadbetter, which I take to be very plebian, and he is a former regimental sergeant major, with all the virtues, prejudices and limitations of that linchpin of the British Army. He fancies himself as a man and soon imagines that Lady Franklin shares his view of himself (after all, she asks to sit with him on the front seat of the Rolls). When he learns the truth (he is the last person on the screen or in the theatre to learn it), he gets drunk and destroys the Rolls by battering it against the brick wall of the garage. Unfortunately it is his Rolls, an investment earned by half a lifetime spent in drilling Her Majesty's recruits.

This tale is performed with the sober competence of a TV adaptation of Galsworthy and with a sentimentality that, forty-five years after *Lady Chatterley*, would stun the most credulous. The scene in which Cantrip, Leadbetter's old captain and the present lover of Lady Franklin, show the presumptuous fellow out the door is camp as hilarious as it is seriously intended. □

POETRY

Placing the hand on the paper
Is preparation.
The poem is a portent of futurity.
Will the blood flare?

Bare as birth, bent on beginning,
Appear words.
Some gigantic potentiality appertaining,
Life is the lure.

The long lashes of your long glare
Stay with surprise.
The poem has winged out of your malleability
And is wise.

You look for the essences of creation,
Deep as death.
In your heart was a kind of writing,
Breath-kind.

The hand has arisen, a Phoenix,
The poem lies.
And from this vision joy arises
With endless replies

And none shall say no victory
To poetry,
For poetry is the body of this world,
A license to be free.

Richard Eberhart

MUSIC

DAVID HAMILTON

Out-of-season activities by major American orchestras have to be viewed economically in the context of the year-round employment contract; since players are now guaranteed payment for the late spring and summer weeks after the conclusion of the regular subscription season, management devises concert formats and chooses locations that will bring in as much revenue as possible, even though it be less—and usually less dependable—than that of the regular season. Outdoor concerts, "Pop" concerts, "festivals" in country settings—these are some of the expedients. Many of them lose money, but with summer overhead now fixed at high levels, any income at all is welcome.

For many years, New York had the Lewisohn Stadium concerts; predating the year-round contract, these were optional for the Philharmonic men, who had first crack at the dates, but could choose to spend the summer elsewhere if other opportunities arose. With the demise of that series—and, very soon now, of the stadium itself—the Philharmonic's post-season has taken two forms. First, a series of "Philharmonic Promenades" under the direction of André Kostelanetz: patrons at tables, with drink service, on the floor of Phil-

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harmonic Hall, to hear cannily chosen, somewhat kitschy repertory and slick performances, often with programming gimmicks. (These latter drawbacks are not a necessary concomitant of the format, as Aaron Copland demonstrated in a guest appearance this season; Copland's own music, plus Mahler and Weber, made for a satisfactory and solid program, played with style and enthusiasm.) Later, there are the free concerts in the parks—acoustical monstrosities, but probably not without educational and sociological values.

This season, with an extra week to fill in the schedule, the Philharmonic came up with a new idea—"Rug Concerts." The tables and chairs were removed from the "Promenade" setting, replaced by carpeting and foam cushions; general admission to this area was sold for $3, with the conventional seating on the upper terraces priced slightly above and below this. The orchestra itself was divided into two ensembles, of approximately sixty-five and thirty-five men (plus some extras as necessary), which played on alternate nights for the six concerts. Pierre Boulez conducted every night (and rehearsed every day). The programs were selected almost entirely from works played by the Philharmonic during the past season: a few Baroque pieces, some 19th-century standards, and quite a bit of contemporary music—all of it serious stuff, hardly anything that would fit into the "Pop" concert repertory.

The model, in part, was that remarkable London institution, the BBC's "Promenades" at the Royal Albert Hall, which go on nearly all summer and call upon the services of nearly every major musical institution in Britain, plus some Continental visitors, performing everything from Machaut to Messiaen, including newly commissioned works and concert performances of operas. Nobody knew just whether this would transplant to New York, whether it would draw the kind of enthusiastic and predominantly youthful audiences that regularly fill the floor of the Albert Hall.

The answer, on the basis of this first week, was unequivocally "Yes." It has been a long time since the Philharmonic evoked such a thunderous response from any audience as it did from this one, and in a sense these concerts provided the first popular vindication of the Boulez programming policy. There apparently *is* an audience out there for Stravinsky, Webern, Stockhausen and Crumb, and also for those old hasbeens Bach, Beethoven, Schumann and Debussy, and that audience's rapt attention was even more significant than the clamorous ovations.

To be sure, it was not a completely discriminating audience, for Boulez's rickety-sewing-machine Bach (*Brandenburg Concerto No. 1*) and mercilessly frantic Schumann (Fourth Symphony) aroused unwarranted enthusiasm, if hardly as much as the substantial achievement of Webern's Op. 6 Pieces for Orchestra or Jan DeGaetani's ever rewarding and absorbing traversal of George Crumb's *Ancient Voices of Children*. Nevertheless, this is surely preferable to an audience that applauds such Bach tepidly and sits on its hands for such Webern—which is what often happens at regular concerts.

Perhaps the "Rug Concerts" are a flash in the pan, but they should certainly be repeated, perhaps even expanded. They have their deficiencies; with the orchestra seated on the main floor, in front of the stage, the sound for the groundlings is surprisingly good, but the upper regions of the house are apparently more short-changed than ever in terms of focus and impact. However, the possibility of enlarging the Philharmonic's concert audience would seem to be substantial, well worth the risk involved. □

THEATRE / Harold Clurman

London

During a ten-day visit to London I saw six plays, a revue composed of songs and bits of prose by Noel Coward, and a ballet. The ballet, *The Sleeping Beauty*, at Covent Garden was danced more brilliantly than by the Canadian company at New York's Metropolitan Opera, but the scenic production was tatty. Nureyev had less to do in London (besides lifting Makarova) because in New York he was his own choreographer. His dancing of the ballet's closing variation was sensational.

Only two of the plays I saw were of keen interest: both of them old ones. The productions I was most eager to see —Tom Stoppard's *Jumpers*, *The Misanthrope* and *Long Day's Journey Into Night* were not on during my stay. I may be able to see these plays on my return from Paris; the National is a repertory theatre.

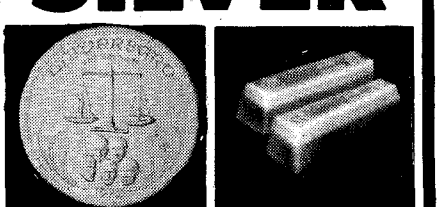
I saw one play before its imminent opening, *Glasstown*, by a new woman writer, Nicol Williamson. About the Brontë sisters and their family afflictions (their brother and father), it was well acted by a cast of comparative unknowns.

Alan Bennett's *Habeas Corpus*, a big hit, is hardly more than a series of quasi-sophisticated skits in the manner of a modest musical. Its main asset is Alec Guinness. His almost impassive clown countenance, air of detachment, and an elegance à la Fred Astaire serve the occasion handsomely. Still the show is nothing to write home about.

Edward Bond's most recent play, *The Sea*, is having a brief run at the subsidized Royal Court Theatre which, in the main, devotes itself to new scripts. Bond's play has several entertaining scenes but its plot is not integrated to its rather vague theme. It would appear from the play's rambling structure that provincial towns in England produce eccentrics, madmen and foolish or frustrated women. The choice for most of the intelligent inhabitants of such places, Bond implies, is either drunken resignation or flight without much hope. Most serious English plays of recent date are either acridly derisive or despairing.

The Sea is admirably acted by Ian Holm as a nutty draper (a sort of two-penny Enoch Powell) and Alan Webb as

NOW YOU CAN OWN
PURE
SILVER



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PERSONALS

In Sodom and Gomorrah people forsook all the good sense of their forbears. They lived childishly, fornicated excessively, and spurned the many superior pleasures.

And there were fires. And each wanted only pleasure for himself, for they had been brainwashed, through shouting and repetition, that salvation lies in treacherous selfishness. And no one helped to put out his neighbor's fire. (When we save others we save ourselves and when we desert others we desert ourselves).

The fires grew. And Lot decided to go elsewhere, and build something better.

But Lot's wife looked back. And was so fascinated she became mesmerized, and transfixed, and engulfed.

Our curiosity about the exact details of destruction must wait. When we rest after building our new mode of life, we can learn at leisure from the historian and dramatist.

(I expect to have three paintings on display for sale Nov. 11-30, 1973 at Oregon Society of Artists, 2185 S.W. Park Pl., Portland, Ore.)

D. KORETZ, P.O. Box 167, Portland, Ore. 97207

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a bibulous old caretaker stranded on the shore of life who forgoes all action beyond admonishing those of the young who may be willing to lend him their ears. Coral Browne is effective as an embittered and unwittingly laughable dowager, ruler of the village's upper crust.

I found *The Cherry Orchard* at the National Theatre emotionally thin. Neutral in atmosphere and design, it is on the whole less satisfactory than New York's *Uncle Vanya*. Future directors of Chekhov should give up the notion that, because he insisted his plays were comedies, they are expected to invent gags. Chekhov's insights provide all the laughter his plays need.

It may seem a paradox, but Shaw's *Misalliance*, something of an "improvisation" and certainly not one of his major plays, moved me more than the National Theatre's Chekhov. Shaw is rarely identified with feeling, but there is so much good will and healthy common sense in his rebelliousness that, in view of today's perpetual groan, *Misalliance* struck me as bracing. Shaw's work (like Chekhov's) constitutes a theatre of kindness, a salutory relief from the theatre of cruelty.

Shaw, the vegetarian virgin, ought to be celebrated as the patron saint of the women's liberation movement. Written in 1910, *Misalliance* says the essential things on the subject. There is also much witty wisdom in the play on such matters as the "generation gap" and on other questions many of us believe never had been raised before 1960. Withal, Shaw's sprightly elegance approaches lyricism.

The production of *Misalliance* at the Mermaid, a theatre on the Thames docks, is given special zest by Bill Fraser, a perfect Shavian actor. Shaw wanted *broad* acting for his plays and Fraser possesses the required old-time comic deviltry. He speaks rapidly and distinctly, he is constantly alert, always inside and yet "outside" his part. Even Fraser's mugging is delightfully justified. It is too bad the word "ham" has fallen into disrespect; there is such a thing as glorious "hamming." Fraser exemplifies it.

Apart from Fraser, the best acting to be seen last week in London was that of Max von Sydow and another Swedish actor, Ernst-Hugo Järegärd in Ingmar Bergman's production of *The Wild Duck*. Harriet Anderson occupied a minor role, but everyone in the cast, including Lena Nyman (the girl of *I Am Curious—Yellow*) as the adolescent Hedvig, contributed to the sharp reading of this savagely ironic and somewhat ambiguous play.

I call the play "ambiguous" because it cuts two ways. Ruthlessly committed to tearing the mask of hypocrisy from the society of his time, just when he was bent on establishing his position as a master figure in world literature (as others establish themselves in big business), Ibsen came to doubt whether success in these terms was worth the price it costs in human well-being. So Gregers Werle, the central character in *The Wild Duck*, is a fanatic truth-teller who, for all his high-minded motives, causes great harm; Ibsen takes a position "against" him. Yet he also suggests that such creatures as Werle are crucially important to mankind. This contradiction within Ibsen's soul is one of the sources of his creative power.

Max von Sydow plays Gregers Werle, the virtuous troublemaker, as a gawky, awkward, egregiously naive optimist. He is "wrong," yet he never fails to earn one's respect. His is the truest sort of comedy acting.

The same may be said of Järegärd's Hjalmor Ekdal, a less demanding role because Ekdal is a more common type—many of us are a little like him—indolent, self-deluding, egocentric and hopelessly sentimental. Järegärd manages to make the character at once outrageous and forgivable.

The Royal Dramatic Theatre of Sweden must have left its settings at home for this production. What we saw in London looked like the equipment of an impoverished stock company. But perhaps Bergman thought that only acting counted and would prove much more than enough. □

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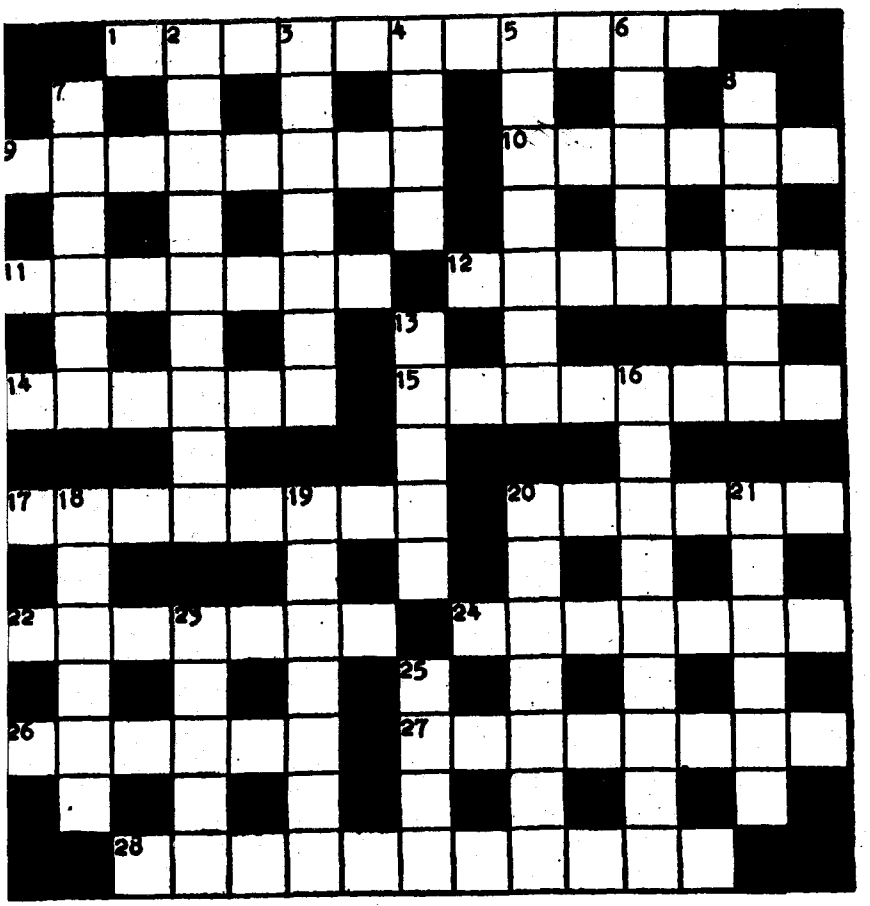

ACROSS

1 An unexpected roll with it, perhaps. (6,5)
9 and 27 Sidewalks and other specific things pointed out? (8,8)
10 Distant line of litter? (6)
11 Free-spending party in some places. (7)
12 Roy knew it could be an affair of state. (3,4)
14 Show concerned with the calf? (6)
15 Fish might eventually get so knocked about. (8)
17 One might have watched the drama of the early G.O.P. (8)
20 To do it might involve pressing the wrong suit. (6)
22 Sink part of the team, but not the regulars. (7)
24 We probably griped when the car did, since horses might be so delayed. (7)
26 Perhaps 20 across by declaration. (6)
27 See 9 across
28 Might one so testify against Goldilocks? (4,7)

DOWN

2 Coy person on the other side? The worst one! (9)
3 Confrontation with one to another? (7)
4 See 25 down
5 No work for the patrolman here—that's strange! (3-4)
6 Is such a bird well-fed? (5)
7 and 23 Copper rulers found here, presumably. (6,5)
8 Keep the spirit down with the sort of ire that makes money of a primitive nature. (6)
13 To a degree, a fragment you should get to check at an early stage. (5)
16 Seven-pole formation of communication-carriers. (9)
18 More F-marks might result in your playing thus. (6)
19 Red lost as a possible result of one in the seventies, for example. (7)
20 Teach all over, with the right start in the middle, and keep going around. (7)
21 Tipped this over? (6)
23 See 7 down
25 and 4 Didn't live with the spirit cast off. (8)

SOLUTION TO PUZZLE NO. 1495

ACROSS: 8 Describe a circle; 9 Spiral; 10 Scottish; 11 Knot; 13 Wages of sin; 15 Astride; 16 Giraffe; 19 Wall Street; 21 Swap; 22 Baluster; 24 Genius; 26 Academic circles. DOWN: 1 Keep one's balance; 2 Scar; 3 Billowed; 4 Message; 5 Actors; 6 Trot; 7 Classic features; 12 Tyrol; 14 Flags; 17 Intaglio; 18 Bedrock; 20 Totems; 23 Undo; 24 Nice.

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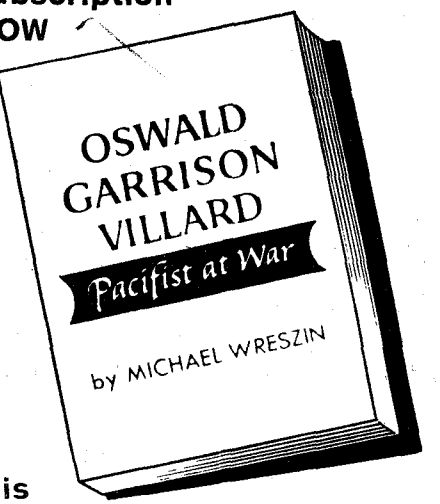

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